The Washington Monthly

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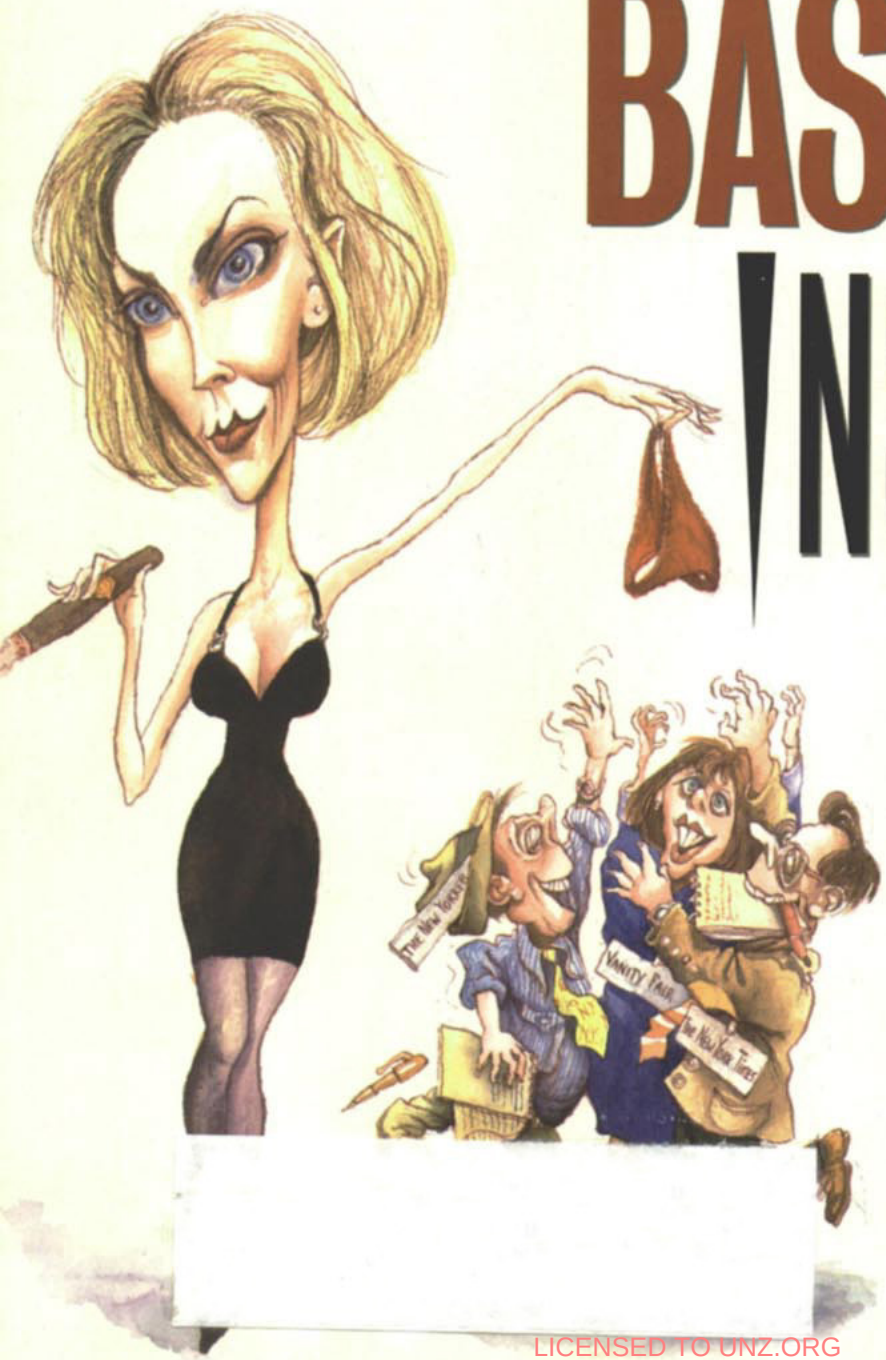
By Joshua Wolf Shenk



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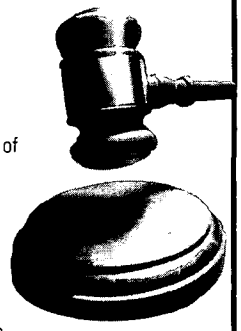

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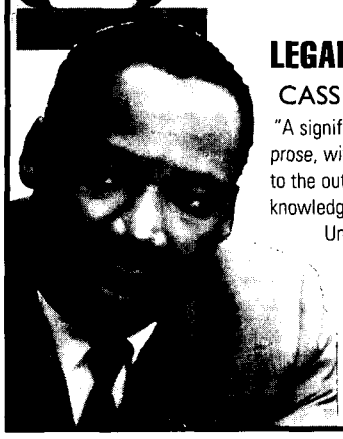

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The Washington Monthly

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Letters

Uniform Arguments

The Washington Monthly has done it again. Another article with inaccurate research slamming the ACLU ("Steve Forbes, Joe Camel, and the ACLU," April). There is room for legitimate disagreement with *Buckley v. Valeo* and campaign finance reform, and it exists even within the ACLU.

However, disagreement with such policies is not a basis for attributing corrupt motives to the organization. Nor is disagreement with the ACLU's position regarding commercial speech and advertising, including tobacco advertising. In both of the Southern California cases Mr. Shenk discusses, his arguments are factually incorrect. We spent no resources on attempting to learn why Judge Ito dismissed some jurors from the O.J. Simpson jury. The request to unseal the transcripts of his decisions was handled by a volunteer lawyer at no cost to the ACLU. If we had been completely successful, we might not have had to wait for "60 Minutes" to do its exposé regarding possible jury tampering after the trial was concluded.

We did not challenge the Long Beach School District's school uniform policy. Rather, we objected to the failure to provide uniforms for children of families who could not afford them. That might seem petty to Mr. Shenk, but families who wanted their children to wear uniforms believed that they should not have to choose between food and uniforms. This suit, too, was handled by a volunteer lawyer, and the case was settled successfully. The ACLU did not have to use its "scarce resources," as mentioned in your article.

Ramona Ripston
Executive Director
ACLU Foundation of Southern California
Los Angeles, CA

Joshua Wolf Shenk replies: *I, too, am intrigued about possible jury tampering in the O.J. case. But I'm at a loss to understand what great civil liberties concern prompted ACLU involvement. Regarding school uniforms: One of the main purposes of uniforms is to* reduce *the costs for school clothing by avoiding the expensive fashion wars. The truly destitute surely deserve public help in providing for the basic needs of their kids. But the ACLU seems blind to the overall social good of uniform programs. Nadine Strossen, the president of the organization, told me she would prefer to see them eliminated entirely.*

On the subject of "scarce resources": When the ACLU uses its good name to procure pro bono legal work, I think that can be fairly described as an expenditure of resources. If volunteer legal work was in such abundance, why did ACLU officials plead poverty in explaining their absence from the case of Jeffrey Wigand, the tobacco industry whistleblower discussed in my piece?

Constitutional Fisticuffs

In Lloyd Cutler's review of my book, *The Frozen Republic* ("Constitutional Buchananism," April), he tries to wriggle out of a trap set by the Founders—but fails. The trap is contained in Article V, which, after outlining how the Constitution may be amended, winds up with a proviso that "no state, without its consent, shall be deprived of its equal suffrage in the Senate." This clause is important because it implies that there is no way to democratize our increasingly undemocratic Senate without the agreement of all 50 states. The rest of the country may think it mad that Wyoming enjoys voting parity with California, even though California's population is 67 times greater, but as long as Wyoming says otherwise, so it shall be forevermore. My book argues that this unanimous-consent requirement will someday wind up killing the present Constitution; if the people cannot reform an increasingly unrepresentative Senate constitutionally, they will have no choice but to do so extra-constitutionally.

But now comes Lloyd Cutler to say my reading is incorrect. He writes that "nothing in the Constitution bars it from being amended first to remove the 'equal suffrage' clause and then to adopt a second amendment reconstituting the Senate with some form of unequal suffrage for the states."

This is the man to whom presidents turn for legal advice? If Cutler is right and the "equal suffrage" clause in Article V can be so easily circumvented, then the clause is meaningless. An absolute safeguard that can be so easily defanged was never absolute to begin with. My guess is that such a willful misreading of the text would not get one vote on Capitol Hill, much less make it through a single state legislature. Every last constitutional literalist in the land would rise up in protest.

Cutler states that in calling for a system of majority rule, I display "no concern that a demagogic, emotional majority of the moment would infringe on the rights of its political opposition or individual citizens." But I do—see, for example, pages 288–289. While such a danger exists, I argue, it is more than offset by the virtual certainty that civil liberties will continue to deteriorate under the present antiquated, dysfunctional system.

Finally, the phrase "constitutional Buchananism" is an outrage. Pitchfork Pat's most important constitutional reform proposal is a scheme, unveiled last January, to allow three fourths of the states to amend the Constitution without the approval of Congress. This would enable as little as 40 percent of the pop-

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ulation to dominate the remaining 60 percent. Thus, Buchanan is not a majoritarian at all, but the opposite—an advocate of untrammeled minority rule. Lloyd Cutler really ought to be more careful.
Daniel Lazare
New York, NY

Lloyd Cutler responds: *Lazare seems to think that Article V of the Constitution, specifying the procedure for amending that document, is itself unamendable. I know of no decision so holding. If Congress proposed an amendment to Article V providing that approval by two thirds of the states, instead of the present three quarters of the states approved, that amendment would certainly be valid. The same reasoning ought to apply to an amendment of Article V deleting its equal suffrage clause, or adding another subject as to which amendments would thereafter be forbidden. Indeed, Congress itself submitted such an amendment to the states on March 2, 1861, after Lincoln's election, but just before inauguration. It would have barred any amendment overruling the* Dred Scott *decision, but it was overrun by the outbreak of the Civil War, and the required number of states never approved it.*

In any event, the idea that Article V is itself amendable is certainly far less radical than Lazare's suggestion that the "We the People" clause of the Preamble entitles the House of Representatives to ignore Article V entirely and to abolish the Senate, or any other part of the constitutional structure it dislikes, by a majority vote of the House alone.

As for "constitutional Buchananism," the Buchanan proposal I referred to in my review is the one that would allow Congress to set aside Supreme Court constitutional decisions. That is a "majoritarian" proposal if ever I heard one.

Bono-fide Contention

I would like to respond briefly to your squib in the March "Tidbits & Outrages" about my firm, which you called the "elite San Francisco law firm Wilson Sonsini Goodrich & Rosati." With respect to our successful civil rights representation of the inmates at California's Pelican Bay State Prison, you reported that the firm "requested $7.6 million in fees, took the state to court when it wouldn't pay, and eventually got $3.5 million from taxpayers."

This firm is not a San Francisco law firm. We never filed a fee request of any amount with the court. We never "took the state to court when it wouldn't pay." With respect to the fee payment to which the state agreed, after reimbursing our out-of-pocket costs, we donated the full amount to charity, as was previously announced.
David S. Steuer
Palo Alto, CA

The editors respond: *We should have said San Francisco* area. *And we should not have said the firm "took the state to court." The firm and the state were already in court-ordered mediation because the state believed the fees the firm had requested were excessive. Wilson Sonsini had asked for $7.6 million and settled for $3.5 million, which the taxpayers* did *have to pay. Those out-of-pocket costs, by the way, totaled $1.1 million.*

Repair Kit Busted

Your "Capitol Repair Kit" subscription ad has always slightly bothered me. The three people working on the Capitol resemble three earnest, well-groomed moderate-Republican dads, confident in their ability to roll up their sleeves and repair things with just a little tinkering in their basement workshop—as if fixing government were that simple and didn't require, as the *Monthly* recognizes, more drastic measures. The implicit parternalism in the very white, male, and executive demeanor of the group also makes me wish a woman, black, or blue-collar worker were included. And you thought it was just a clever drawing!
Eric N. Lindblom
New York, NY

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Tilting at Windmills

Were we right in chiding the ACLU for pursuing trivial causes while failing to challenge such important threats to free speech as the tobacco industry's attempt to suppress whistle blowers? Well, the other day I was reading a story in *The New York Times* about the fact that a large number of students are not showering after gym class, with the result that American schools are beginning to take on a distinct aroma. Explaining how the situation developed, the *Times* notes:

"Students who dreaded showering at school got a lift two years ago after the American Civil Liberties Union threatened to file a lawsuit in Federal court over a mandatory shower policy" in Pennsylvania....

The New York Times displays extraordinary solicitude for the problems of those affluent enough to afford a personal trainer. We have already noted that, a few months back, the paper ran a long story examining the difficulties encountered in firing a trainer. On May 1 came another long story. This one, entitled "Who Trains Trainers? Everyone and No One," revealed that some trainers are not qualified. "Trainers are not required to be licensed in New York and virtually all other states." What an outrage! ACLU, where are you?

The article advises readers to interview potential trainers. According to one doctor, the *Times* writes, "You should see if you are 'connecting or not.'" The doctor adds: "How do you know on a blind date if you want to see someone again? You want to feel that the trainer is on your side. You have to trust your intuition."

In all, the *Times* devoted 27 paragraphs to this important subject....

Liberal voices are increasingly hard to find on the talk shows. One night in April the panelists on "McLaughlin Group" included three conservatives, Fred Barnes, Linda Chavez, and Michael Barone, and one centrist, Morton Kondracke. The same night on "Inside Washington," the show's supposed liberal, Carl Rowan, had this complaint about estate taxes:

"It hardly matters how rich you are; when you die, in order to pay those estate taxes, you've got to sell your eyeteeth and just about everything else."

Not one of the other panelists or the moderator thought it was worth mentioning that there is a $600,000 exemption from the estate tax. If the estate is less than that, there's no federal tax....

The suburbs are more dangerous than the cities. No, I haven't got it backwards. The secret is that the car is more of a threat than the gun. Although the risk of injury or death from crime is 10 out of 1,000 for city residents and only one out of 1,000 for suburban residents, the traffic risk for suburbs is 18.2 out of 1,000, compared to six out of 1,000 for the city, according to a recent study reported by the *Los Angeles Times*. Now I know why I'm so terrified when I drive my little Escort around Washington's Beltway....

Uneven enforcement of the law by the federal justice system is a problem that not many people are aware of. David Burnbaum writes about it in his new book, *Above the Law*, which we reviewed in April, and *The New York Times* recently published some comparisons of how federal tax law applied in different states and cities. North Dakota has four times more tax fraud referrals from the IRS for prosecution by the Department of Justice than does South Dakota. Are there really that many more crooks in one adjoining state than the other? Even more dramatic differences in referrals occur in cities that would seem equally similar. Tulsa, Oklahoma, for example, has 13 times more referrals than does Topeka, Kansas....

A survey of the 100 U.S. senators conducted by the congressional newspaper *The Hill* found that only four have ever sent children to District of Columbia public schools. No wonder they don't care about the quality of these schools.

This is just the tip of the iceberg of influential citizens' indifference to the public schools. The most powerful single voting bloc, my fellow geezers, doesn't care because its children are no longer in school. Middle- and upper-class parents are increasingly sending their kids to

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private schools. And too many whites don't give a damn about the education of blacks.

The enrollment of the Kansas City, Missouri, school district became majority black in 1970. But according to a recent article in *Time,* the district's voters, who remained majority white, allowed its schools literally to fall apart, rejecting funding initiatives 19 times while pipes burst and ceilings collapsed. Finally, a federal judge intervened to require greater support for the Kansas City schools, but in most urban areas similar saviors have not appeared....

Newsweek's May 6 cover plugged a story on "The Natural Drug Culture, From Herbal Ecstacy to Melatonin: What are the Risks?" The problem was that the story did not even mention melatonin. Could it be that the headline writer had tried a little of that Herbal Ecstacy?...

When Jessica Dubroff was killed in that crash in Cheyenne, I thought there would be a number of major stories about the scandal of what is called general aviation—the private planes that can take off and fly anywhere over most of the United States even if the pilot is underage, stupid, or dead drunk. Remember that crash in the 1980s near San Diego, when a private plane collided with a passenger jet and killed 82 people? But instead of recalling that accident and explaining the hazards of general aviation, most of the media seemed to concentrate on the parent-child exploitation issue. *Newsweek*—the fellows must have sworn off Herbal Ecstacy that week—at least devoted a two-thirds of a page box to the problem which is that whenever "FAA officials tried to keep the tiny planes' interests, schedules, and flight path from colliding—literally—with major carriers ... the little pilots have won, thanks to the lobbying clout of the 340,000-member Aircraft Owners and Pilots Association." The reason for the association's power is that these "little pilots" are usually big shots in their communities. People who are sufficiently liquid to own and maintain a private aircraft usually have the kind of clout to which members of Congress respectfully attend....

Dr. Rudy Crew, the chancellor of New York City's schools, has urged that tenure be abolished for the schools' principals, saying, "If the school system is going to achieve success, we must hold principals to a much greater level of accountability." We agree. But doesn't that same reasoning apply to teachers? Shouldn't they be accountable, too? That's why we urge a series of one-, three-, and five-year contracts for teachers, as well as principals, giving reasonable security to good teachers but giving us the right to get rid of the bad ones before they've done too much damage....

The knowledgeable Mike Causey reports in his Federal Diary column in *The Washington Post* that the hiring of new government employees is "at record-low levels." This is frightening: As this magazine has pointed out, federal agencies have, for almost 30 years, paid far too little attention to attracting talented people into the civil service. The result has been a decline in quality, which is one of the reasons the public is disillusioned with government. If we now stop hiring entirely or, as Causey suggests may be the case, hire only people who have been downsized out of jobs at other agencies, there will be no fresh blood at all. Clinton doesn't want to face this problem because his focus is on downsizing. And the Republicans will be delighted because, as the quality of government further deteriorates, their anti-government message will be confirmed....

IQ scores are going up—24 points since 1918. Since I have been alive for all but eight years of the period in which this rise is supposed to have occurred, I am intensely skeptical as to whether it indicates a true rise in intelligence or wisdom.

Americans may be more sophisticated than they were. Certainly they are more tolerant. They know more about wine and art. And the coffee is better. But the government is worse—not as effective or respected as it was from 1933 to 1965.

I have been suspicious of IQ ever since mine was found to be 144 while people I considered smarter scored lower. I have read that John Kennedy had an IQ of 119. But he was faster getting the point than anyone I have ever known. As Gore Vidal recalls in his recent memoir, *Palimpsest,* he was always finishing other people's sentences, or—by tapping his fingers on his desk—indicating that he would love to do so if courtesy did not dictate otherwise. This habit, although not endearing to the long-winded, showed how quick his mind was. Vidal also notes that Kennedy was "the best-informed" person he ever knew. This reflects Kennedy's intense curiosity, a quality that, like judgment, IQ doesn't measure but that is invaluable to a leader who must know what's going on. IQ also does not measure capacity for growth—the ability to learn from your experience, a quality that both JFK and his brother Robert possessed to a remarkable degree....

The Charleston Gazette reports that various local governments in its area are considering consolidating such services as their police departments. This is a movement that makes sense. There is tremendous overlap and duplication of services—and sometimes serious gaps—between municipal and county governments, not only in

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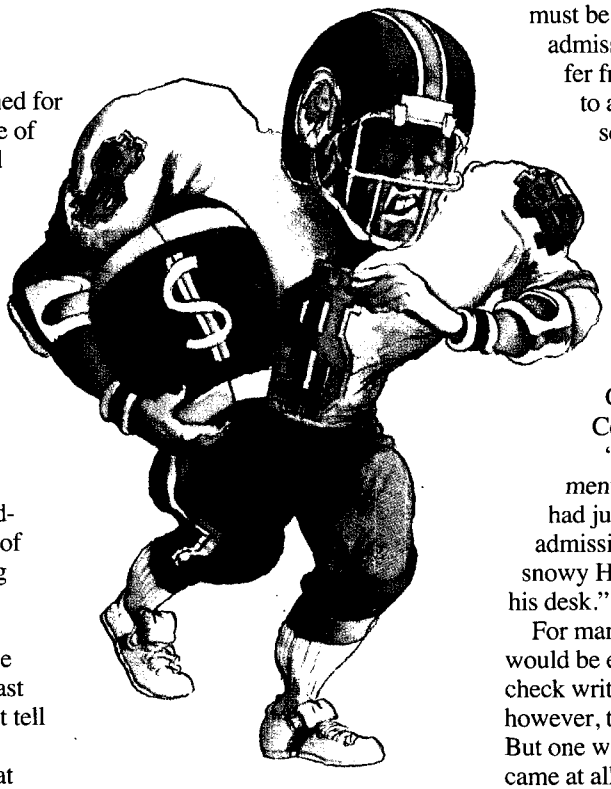
West Virginia but all over the country. The problem is that local officials seldom are inclined to surrender power. Every mayor wants his own fire engine. But if the public ever wakes up to the potential savings and the improvement in services that would result from consolidation, those officials just might finally do something....

This magazine has complained for years about the insane practice of hospitals that keep interns and residents on duty long after their brains are numb with fatigue, making them prone to errors that threaten the lives of their patients. At least two other occupations have similarly dangerous work schedules. Train engineers can be required to work 12 hours, then return to work the same shift after only 10 hours off, which are rarely dedicated entirely to rest because of time spent eating and traveling to and from their lodging and rail yards. One CSX engineer told the Associated Press, "The last trip I made, I fell asleep past two or three signals and I can't tell you what they were."

Police are another group that often works 12-hour shifts. In Elmont, New York, a police officer is being sued by the family of a man whom the officer allegedly shot multiple times, after the officer had worked three straight 12-hour overnight shifts. The incident occurred at 3 a.m. There is considerable evidence that judgment is especially impaired when these 12-hour shifts carry into or through the middle of the night, when the body's natural rhythm dictates sleep.

Amazingly enough, police unions encourage 12-hour shifts. Their members like the longer periods off that go with them. One can understand why: A typical schedule provides for five 12-hour shifts over a period of 12 days, with the rest of the time off. But what is good for the policeman may not be so good for people he shoots when he's fatigued....

We've all heard about the gangs that can't shoot straight. But it's a bit unsettling to learn that the cops can't either—even when they're awake.



Roman Genn

An internal LAPD study a few years ago, according to the *Los Angeles Times*, found 361 officers who had repeatedly failed the pistol test. Officer Lawrence Madgett told the *Times* that there had been about a dozen officers who died in shootouts because they could not hit the bad guy even after discharging multiple bullets. Not only do officers who are not confident of their abilities tend to fire too often, they also tend to fire too fast. This means they sometimes shoot the wrong person....

Parents are now so desperate to get Jennifer and Jason into the right college that a new profession has arisen to help ease the way. Private consultants will, for a fee of $1,000 to $2,500, advise parents on what must be done to impress the admission officers—say, transfer from a public high school to an impressive boarding school or demonstrate wide-ranging interest through extracurricular activities.

A reporter for *The New York Times* recently sat in on a client's session with one such consultant, Howard R. Greene, of Westport, Connecticut:

"Mr. Greene happened to mention the phone calls he had just taken from Ivy League admissions deans. A print of snowy Harvard Yard hung above his desk."

For many anxious parents this would be enough to get a $2,500 check written on the spot. That day, however, the take was only $500. But one wonders why the parents came at all. Their son is near the top of his class at Darien High School, the kind of place where everyone's DNA is specially coded for a high SAT, and he "plays lacrosse, well enough that college coaches are writing to him."

The point is that this is mostly common sense, and bright high school kids have a pretty good idea of what they have to do. Parents worry too much, especially about getting their children into Ivy League schools. Such a school can give one a leg up at the beginning of a career, but in the long run it has absolutely no bearing on success, either in the world's eye or in one's soul....

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When the line-item veto was passed, a number of thoughtful people warned of its potential for abuse by a future president. If, however, the experience of the governor of my home state, West Virginia, is a guide, they can stop worrying. In more than seven years, he has used the line-item veto exactly three times....

Another state's experience with another fashionable political nostrum has been disturbing. California voted for term limits in 1990. They permit only three two-year terms in the Assembly. "About the time these lawmakers develop legislative skills and are knowledgeable about complex issues," writes George Skelton of the Los Angeles Times, "they're being booted out the door." The California Constitution Revision Commission is recommending a change to three four-year terms. That, says its chairman, William Hauck, "would get us some leadership continuity and institutional memory, but still cycle people out." A limit of three four-year terms is just what this magazine has been advocating for the U.S. House of Representatives. We would, however, keep the Senate as it is for continuity....

Another California experiment that isn't working out so well is the three-strikes law. Courts are jammed with potential three-time losers, who insist on trials rather than accept a plea bargain that would put them away permanently. And worst of all, according to NBC News, California's three-strikes law is putting the wrong people away—only 40 murders and 15 rapists have been sentenced, but 3,749 people have gotten their third strike for drug possession and 1,959 for petty theft.

I support three strikes, but only for violent offenders. The cruel punishment it involves is only justified by society's need to protect citizens from serious injury or death at the hands of a criminal who has demonstrated a predisposition to violence.

Sometimes I have to concede that the positions I take do not exactly enjoy overwhelming popular support, but in this case, thanks to a poll conducted by the Joint Center for Political and Economic Studies and reported by Alan McConagha in *The Washington Times*, I can say that 81 percent of the general population and 72 percent of the black population favor mandatory life sentences for three-time perpetrators of violent crime....

Another version of three strikes is desperately needed. It is the permanent loss of driver's licenses for those convicted for speeding, drunk driving, or other highway behavior that threatens the lives of others. Recently, a Washington-area man, who appeared to have been involved in an argument with another driver while traveling at a very high speed on the George Washington Parkway, cut off the other car, causing both vehicles to cross the median and crash into the cars of innocent people in the lanes headed in the opposite direction. Three people were killed. The driver who caused the carnage had four speeding convictions and two suspensions of license on his record....

The great confidence men rarely think of themselves as such. They really believe their own cons. Ask them how they sold the Brooklyn Bridge, and they'll rhapsodize: "one of the great monuments of architecture, a magnificent melding of strength and beauty."

Daniel Patrick Moynihan, however, is an exception to this rule. When Eleanor Clift and Tom Brazaitis asked him the secret of his success, he replied, "Don't ever be known as a politician. I've spent my life in politics. Liz and I are married

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40 years in May and we met in the Harriman campaign in Albany. For 40 years New Yorkers have been saying 'He's a nice guy. He's real smart, you know. But he doesn't understand politics.' And [the other politicians are] all defeated or in jail—ouch! And I'm the last man standing of my generation."...

Thoughtful observers have been lamenting the increasing cost of tickets to sporting events. In the old days, affordable prices made major league baseball and football accessible to practically everyone. A common interest in these sports was one of the unifying forces in communities and in the country. And since the plumber was just as likely to be insightful about the games as the banker sitting next to him, it encouraged the mutual respect between social and economic classes that is an essential ingredient of democracy. Although I joined in the lament, I had no idea how drastic the situation had become until I recently paid for my 1996 Washington Redskins season tickets and received an advance announcement of the price schedule for 1997, when the team will move into a fancy new stadium.

The top price this year is $450. The plumber can still afford to sit next to the banker. But in 1997 the top price will be a figure that only the banker and his wealthy friends can handle—more than $13,000. This will cover one of 12 seats in an "Executive Suite" for which the total bill for just one year is $159,000. The suite will be enclosed and climate controlled and will feature "carpeted, color coordinated interior, theatre-style seats, lounge chairs, top-of-the-line coffee tables and serving tables, Sony TV sets, and fully equipped bar with refrigerator and sink."

The plumber will still be able to afford a regular seat, but it will be exposed to the elements and without any of the special features enjoyed by the occupants of the suite. The banker and his friends may think they're better off not having to rub shoulders with the average fan, but I can't help suspecting that they may come to regret this trend towards separating themselves from the rest of us that is epitomized by the gated communities that are springing up all over the country. Does it not seem possible that on a cold, rainy day when that drenched plumber looks up at the banker and his friends in their luxurious suite that his thoughts might not be entirely friendly? Is it possible that he might begin to speculate as to what else these fellows might be able to afford to do with that $159,000, like pay higher taxes so that we can have the kind of schools our children need? It just may be that the next American revolution starts at a Redskins game....

—*Charles Peters*

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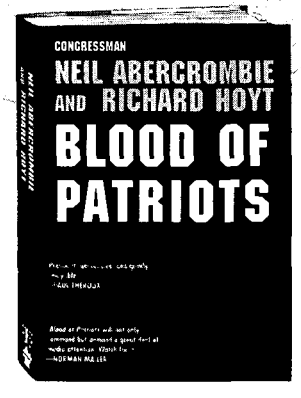

FORGE

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On the Dole

Saddam Hussein had at least one friend in 1990

BY MARK STRAUSS

On May 17, 1990, Senator Al D'Amato was mad as hell and wasn't going to take it anymore. His arch-nemesis, Saddam Hussein, had brutally gassed 6,000 Kurds, executed a British journalist, and threatened to burn half of Israel with chemical weapons. D'Amato branded Hussein "the new mad dog of the Mideast" and introduced an amendment to the Chemical and Biological Weapons Control Act that sought to impose economic sanctions. Clearly on a roll, the senator from New York unleashed a string of epithets, calling Saddam "the Butcher of Baghdad," "a terrorist," "a man who threatens civilization," and "a man with whom we should not have business."

Anyone familiar with D'Amato would not find his diatribe out of the ordinary. But the senator's rhetoric stood out in sharp contrast to that of his good friend Bob Dole, who just one month earlier had described the Iraqi leader as "an intelligent man." Continuing to follow that line of reasoning, Dole argued during the debate over sanctions that there was real "potential for improving our relationships" with the Iraqi dictator. He urged D'Amato to table the amendment, saying it was "inappropriate at this time." Ultimately, the Senate voted unanimously in favor of D'Amato's legislation, but only after Dole had tacked on a provision that would allow the President to waive sanctions for up to one year. Less than three months later, Iraqi tanks rolled into Kuwait City.

Bob Dole, what were you thinking? The Kansas senator had carved out a reputation as a champion of human rights in the Middle East. During the Palestinian intifada, Dole had criticized Israel as a government that routinely murdered children. For years, he had sponsored legislation that sought to commemorate Armenian victims of Turkish genocide. So why was Dole willing to treat the gassing of 6,000 Kurds as a minor infraction?

The story of the Kansas senator and the Iraqi dictator began not in the halls of Congress, but in the Oval Office. In October 1989, George Bush signed National Security Directive 26, which outlined U.S. policy in the Persian Gulf in the aftermath of the Iran-Iraq War. Although the directive expressed concern over Hussein's human rights record and his

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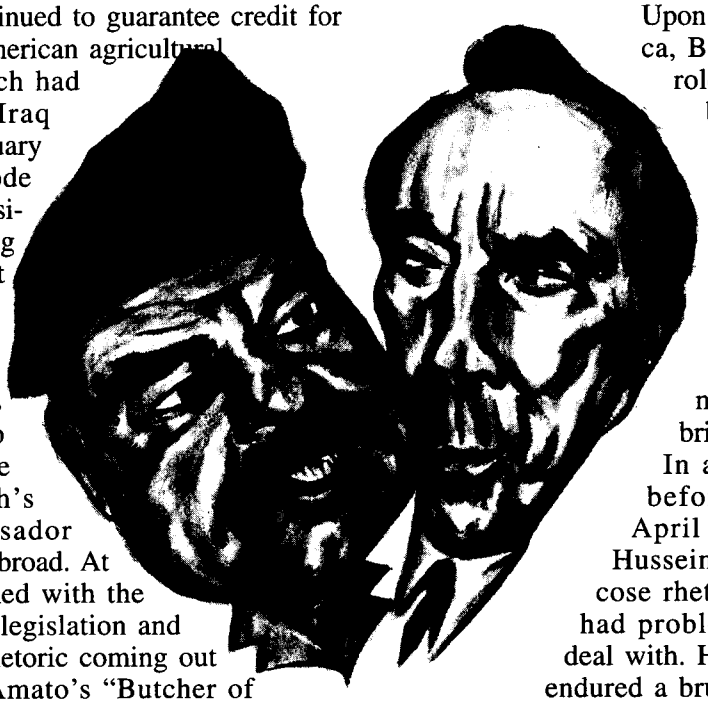
program to develop weapons of mass destruction, it also recognized that Iraq was a significant regional power that could not be ignored if the U.S. wanted to promote stability in the Gulf and peace throughout the Middle East. Hussein was a loose cannon, but he was considered a loose cannon that could be brought under control with cautious diplomacy and economic blandishments. Following this line of reasoning, the Bush administration continued to guarantee credit for the purchase of American agricultural commodities, which had been offered to Iraq since 1983. In January 1990, Bush overrode congressional opposition to continuing U.S. Export-Import Bank financing for commercial transactions with Iraq.

Where Iraq was concerned, Bob Dole played the role of George Bush's goodwill ambassador both at home and abroad. At home, he was tasked with the job of moderating legislation and toning down the rhetoric coming out of Congress, (D'Amato's "Butcher of Baghdad" remark prompted the Iraqi ambassador to lodge a formal complaint with the State Department.) Abroad, Dole was destined to play a key role in smoothing over U.S.–Iraq relations when a diplomatic crisis erupted in February. An editorial broadcast by Voice of America, claiming to reflect "the views of the U.S. government," criticized secret police abuses in Iraq and seven other countries. The broadcast declared that "the tide of history is against such rulers" and that the 1990s "should belong not to the dictators and secret police, but to the people." Two months later, Bob Dole led a delegation of five senators to the Middle East, making a point to meet with Saddam Hussein in Mosul. The Iraqi leader, who didn't appreciate being told that the tide of history was against him, charged that "an all-out campaign is being waged against us in America and the countries of Europe" in order to provide political cover for Israel to attack.



Jay Lincoln

Speaking on behalf of the President, Dole assured Hussein that the U.S. wanted "better relations with Iraq." He hastened to remind the Iraqi leader that the U.S. had condemned Israel's attack on Iraq's nuclear facility in 1981. Dole also told Hussein that the Voice of America staffer who had written the offensive editorial had been fired. (The author of the editorial had, in fact, retained his job.)

Upon his return to America, Bob Dole played the role of Neville Chamberlain, declaring that, as far as Iraq was concerned, there would be peace in our time. He told *The Washington Post* that because of the meeting, "there might be a chance to bring this guy around." In a rambling speech before the Senate on April 20th, he said that Hussein, despite his bellicose rhetoric toward Israel, had problems of his own to deal with. His country had just endured a brutal seven-year war with Iran, Dole mourned, and had accumulated $50 billion worth of debt. Acknowledging that Hussein had accumulated a large arsenal of chemical weapons, Dole said that the Iraqi leader had personally assured him that they would be used only in retaliation to a nuclear strike by Israel in "an effort to preserve his country." When the Senate debated D'Amato's amendment to the chemical weapons act, Dole noted that Hussein had given him assurances that "he had no plans for any nuclear weapons, and that all they were doing in the so-called biological area was basic research."

Dole's support for Hussein was not limited to geo-strategic concerns. When the Senate considered imposing economic sanctions against Iraq, Dole once again proved the old axiom that all politics is local. U.S. loan guarantees had made Iraq the largest overseas importer of American rice, and one of the largest importers of Ameri-

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can corn and wheat. Part of that wheat was grown in—you guessed it—Kansas. Senate debates regarding Iraq often sounded like seminars on free trade. "We do not gain anything," Dole argued, because Iraq "can find other places to sell its oil and find other places for other things it buys from us." Other farm state senators joined Dole in opposing economic sanctions, including Kent Conrad of North Dakota and Phil Gramm of Texas, who stated simply, "Denying credit is denying sales."

It's clear Dole considers his tryst with the Iraqi dictator a period best forgotten.

Buddy of Baghdad

Six years later, Senator Dole is now Candidate Dole. Lagging in the polls, he has gone after President Clinton on foreign policy, first by "revealing" that Clinton had tacitly allowed Iran to ship arms to Bosnia, in violation of the UN embargo. (This "discovery" has been a matter of public record for years. Dole himself mentioned it in a speech in June 1995.) Now, two congressional committees are investigating the matter, and yet another administration has to read headlines that carry the words "Iran" and "arms sales."

Most recently, Dole issued a blistering attack on the President, saying he "squandered the rich foreign policy record he inherited by making inconsistency, confusion, and incoherence the common features of American diplomacy." This attack is part of a carefully orchestrated assault on Clinton's foreign policy, led by congressional Republicans who routinely accuse the President of appeasement when dealing with so-called rogue states like Iran, Cuba, and North Korea. One would think, however, that Dole wouldn't want the notion of appeasement or "inconsistency, confusion, and incoherence" to be a campaign issue, as he might have to explain why he was willing to sell out our national interest for a farm subsidy.

Perhaps the senator could defend his record by arguing that no one, not even the Pentagon or the CIA, predicted Hussein would actually invade and occupy Kuwait. But the murder of 6,000 Kurds notwithstanding, there were other warning signs that all was not right in Baghdad. During this period, for example, *The New York Times* ran several articles detailing Saddam Hussein's quest to develop nuclear warheads and long-range missiles.

It's clear that Dole considers his tryst with the Iraqi dictator a period best forgotten. Al D'Amato, who is now acting as chairman of Dole's National Steering Committee, published his memoirs last year under the title *Power, Pasta and Politics*. The chief investigator of the Whitewater affair has proven that his true talent lies in whitewashing history. In his book, D'Amato lashes out at the Bush administration for its "shameful coddling" of Saddam Hussein. No one in the White House is spared from D'Amato's criticism—not Brent Scowcroft, Jim Baker, Assistant Secretary of State John Kelly, or even George Bush himself. But on Bob Dole's role in the fiasco, there is not one word. Appropriately, Dole himself wrote the forward to D'Amato's book, praising the New York senator for warning America "about the dangers of Saddam Hussein."

In fact, Dole claims that "no one saw those dangers as early and as clearly as Al D'Amato"—suggesting that, where Iraq was concerned, all of us were in the dark. Dole fails to mention that many other senators, including one from his own state, had the foresight to take an early stand against Saddam. Nancy Kassebaum of Kansas told the Senate in July 1990 that economic sanctions against Iraq would hurt "wheat from Kansas," but went on to say, "I cannot believe that any farmer in this nation would want to send his product ... to a country that has used chemical weapons and to a country that has tortured and injured their children."

In the end, Dole's waltz with Saddam Hussein may be less a reflection of his abilities as a statesman than a measure of his character. During the greatest U.S. foreign policy crisis of the last decade, Dole chose to cut deals rather than offer moral leadership. As one Republican official noted when Dole declined to campaign in Delaware, reportedly because of pressure from New Hampshire Governor Stephen Merrill, "If Bob Dole cannot stand up to the pressure of a small New England governor, how is he going to do when he's faced with the pressure of a Saddam Hussein?" □

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Star Struck

The media's obsession with celebrities is nothing new. But only recently has it saturated the culture—and begun to claim our best talent

BY JOSHUA WOLF SHENK

Newt Gingrich apparently was not newsworthy enough, nor Bill Clinton, nor Colin Powell. No, in 1995, the year's most prominent newsmaker was a British supermodel named Elizabeth Hurley. Or at least that's who *Newsweek*'s end-of-the-year "newsmaker" edition featured—in black leather—on the cover. "Hurley is an odd sort of celebrity," the article inside mused. "The world spent a year in her company, pondering her deep chestnut hair, blue-green eyes and formidable figure ... yet got to know her not at all. Her face, yes, and her forbearance, but little else."

Hurley certainly is an "odd sort of celebrity": Her primary claim to fame is her "formidable figure"—featured in Estée Lauder ads—and a movie star boyfriend who took a spin with a prostitute on Sunset Boulevard. That didn't stop one of the nation's top newsmagazines from coronating her, with its cover choice, newsmaker of the year. O.J. Simpson and Courteney Cox, one presumes, were close runners-up.

And so it is that we draw near the end of the celebrity century. Eighty years ago, early filmmakers came upon the strategy of selling their product by turning actors into brand names. Television raised the stakes dramatically, prompting Daniel Boorstin in 1962 to define the celebrity as "a person who is well known for his well-knownness."

Today, we seem to have reached the apex of the most recent celebrity explosion—powered by a volatile mix of new communications media (cable TV, computers, and space satellites) and cultural change. We're soaked in celebrity. Larry King plays celebrity sycophant and political kingmaker—all in the same night. Jackie O's fake pearls draw big bucks and big coverage. The novelty and nuance of Boorstin's phrase have been lost entirely. What was once a revelation is now a cliché.

Many of this era's dismaying stories have been well told: the capture of politics by made-for-TV candidates; the growth of tabloid gossip and half-truths; the sea change in cultural values. Still largely untold, though, is what might be called the story of the storytellers—the men and women who breathe life into Hollywood icons, who decode, justify, and ultimately solidify their fame. And it's not only tabloid hacks or publicists' suckers who are drawn into the celebrity vortex. It's the best and the brightest as well. We've

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seen a rash of supermarket gossip rags, *People* magazine imitators, and celebro-news TV shows. But as a cultural phenomenon, these second- and third-tier outlets pale in importance to *Vanity Fair*, *The New Yorker*, "Prime-Time Live," and even *The New York Times*—the quality publications that are increasingly consumed with celebrity nonsense.

To some, criticizing celebro-journalism might seem as irrelevant as criticizing fatty food—people want it; it tastes good; the market delivers. There will always be an appetite for celebrity gossip and glossy profiles—for *Us* and *In Style* and "Entertainment Tonight," even for the dubious "news" of the tabloids. But truly talented writers are a rare quantity in this world. They have the ability to set priorities, to focus attention away from what's easy, or sexy, or light, or irrelevant. When they could be checking the steamroller of celebrity glitz and superficiality, many of them are gleefully pushing it along.

Lost in Hollywood

The roots of modern celebrity journalism can be traced to Walter Winchell, father of the gossip column. Winchell was a fierce talent, but also a coarse newspaperman with few pretensions to quality. "I wait until I can catch an ingrate with his fly open, and then I take a picture of it," he once wrote.

The early Hollywood fan magazines were even a notch below Winchell. It's no surprise that few celebrity writers from the '30s and '40s—like Hedda Hopper, Louella Parsons, and Sheilah Graham (less remembered for her work than for being F. Scott Fitzgerald's mistress)—resonate today. The "stars" of celebrity journalism could be counted easily on two hands. And their work was rigorously segregated—"presented rather sheepishly," writes Richard Schickel in *Intimate Strangers,* "if at all, in journals of any aspiration to quality, typically tucked around the movie ads."

Still, the celebrity culture had taken hold. In the '40s, as Joe DiMaggio, Ernest Hemingway, Marlene Dietrich, and Joseph Kennedy Sr. all gathered at Cub Room in the Stork Club to see and be seen, intellectuals like Lionel Trilling proclaimed ours the age of celebrity. Then television happened, adding dramatically to the star-power of assorted athletes, journalists, salesmen, actors, and political figures. Anyone who appeared on the box found fame, and anyone with fame found celebration.

It was the end of the 1960s before the next phase of celebrity obsession began, a time when wrenching assassinations and the lies of the Vietnam War and Watergate hastened a loss of faith in the public sphere. Andy Warhol became the icon of celebrity in this era. His *Interview* magazine—which dressed up fashion designers, musicians, and politicians for glamorous photo shoots—paved the way for *People*, which debuted in 1974. But perhaps the more significant entry on the scene was *Rolling Stone*, a magazine "not just about music," founder Jann Wenner wrote in the first issue in 1967, "but also about the things and attitudes that music embraces." The magazine sought to capture the edge of avant-garde musicians by writing profiles with verve, style, and intimacy. At first, it was Lennon and Jagger. Soon, it was Beatty and Letterman as well.

Rolling Stone was a landmark in American journalism, because it was the first to marry the top-caliber reporter/essayist with the celebrity subject. *Esquire* and *New York*—other pioneers in the new journalism—soon followed. At first, the magazines included considerable doses of more serious work. But the proportion of celebrity pieces grew, especially after Tina Brown took over *Vanity Fair* in the early '80s. Brown produced slick celebrity covers—and profiles with *edge*—at a frenetic pace, and her competitors raced to keep up. *Rolling Stone* by this point had moved from the countercultural bastion of San Francisco to New York City, where it fully embraced the world of corporate entertainment.

In 1993, when Brown traveled across Manhattan to take hold of one of the magazine world's most elegant prizes, *The New Yorker*, the phenomenon of celebrity journalism had reached startling new heights. As editor, Brown has drawn heaps of scorn—and plenty of praise—for making the magazine punchier, glossier, and more focused on breaking news. But the primary facet of her editorial vision—her successful strategy for making the magazine "hot" again—is a fixation on celebrities.

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"Talk of the Town," once home to quirky, gorgeously written portraits of ordinary life, is now often dominated by celebrity news, gossip, and profiles. "Fabio was in his golden Jaguar," a May 1993 piece begins, "gliding down Sunset Boulevard on his way to the Hotel Bel-Air. He's powerful when he's driving—even more powerful than he looks on the covers of over fifty million romance novels." The piece goes on to treat us to Fabio's intimate thoughts and the details of his tree-climbing, fish-loving childhood. And if you're hungry for more celebrity detail, the body of the magazine has featured pieces on Sharon Stone, and John Travolta, and Roseanne Barr.

"The level of the writing is as high as it's ever been," Hendrik Hertzberg, the magazine's executive editor, told the *American Journalism Review*. He's not wrong—the celebrity pieces are sharp and intelligent. Sharon Stone must have been thrilled at having a wordsmith as skilled as *The New Yorker*'s John Lahr dissect her character, especially because her profile coincided with the opening of *Diabolique*. But what new ground could possibly be covered after lengthy profiles of the actress in *GQ*, *Vanity Fair*, and *Esquire*? Reading all four profiles together, one gets a strange sense of déjà vu.

John Lahr, *The New Yorker*, March 25, 1996: "Her detachment and her wit keep the public both engaged and at arm's length. Recently, when she was auctioning off Naomi Campbell's navel ring to movie panjandrums at a benefit in Cannes, a brash mogul offered Stone twelve thousand dollars if she tossed in her underwear. 'Anyone with seven-fifty knows I don't wear underwear,' she said."

Gerri Hirshey, *GQ*, November 1995: "As a celebrity auctioneer at an AIDS fund-raiser ... she parried one bidder's suggestion that she auction a pair of her panties with Mae West-ian aplomb: 'Anyone with $7.50 knows that I don't wear underpants.'"

Bill Zehme, *Esquire*, March 1995: "'Heee-heee-heee,' said Sharon, 'I saw your butt! 'You did not,' I said. 'I did so,' she said.... Thinking fast, I said that I've seen hers, too. 'Who hasn't?' she said. 'Anybody with seven bucks can see my ass, buddy.'"

Unless you read a great many celebrity profiles back-to-back—something I don't recommend—it's easy to miss this repetitive quality. What also

Clockwise from top: Elizabeth Hurley, *Newsweek's* newsmaker of the year; Cindy Crawford, supermodel for president; Brad Pitt, "knucklehead" ... or "happy man"?; Schiffer, simply beautiful P.R.; Banderas; a "tough" piece?; Aniston, love her for her mind

becomes apparent is the extraordinary effort that goes into these pieces. It makes you realize the good these writers could do if they told the stories of people with a purpose beyond raising their per-film salary from $12 to $15 million.

Remember the self-effacing character in *The Big Chill* who wrote for *People* magazine? He claimed his work was designed to hold people's attention on the toilet—nothing more. That same sense of shamelessness pervades *People*'s celebrity coverage. There's an obviously worshipful tone that writers, subjects, and readers immediately recognize.

But elite celebrity profilers want more than that. Not surprisingly, given their considerable talent, they aspire to quality. Consider Bill Zehme. He's a marvelous writer, the rare sort who can avoid the

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squishy anecdote and cut straight to the heart of the matter. His piece about Warren Beatty in *Rolling Stone* hit the actor so dead-on that Beatty's girlfriend at the time, Madonna, was heard reading the piece to travelers in her limousine. When she saw Zehme later at a party, she gave him a high-five.

Zehme says his goal is no less than to "climb inside a person's mind" and "capture their essence." And so he remains skeptical—not a tongue-wagging fan like some dope from *People*. "The one thing I've never had about any of these celebrities," Zehme says, "is this perpetual sense of awe. So much of the stuff, it's like fans writing. I'm a fan to a point, but you have to leave that at the door if you want to write anything that approaches serious journalism."

But in the next breath, Zehme admits that he's never *really* critical. "You tease, but don't burn," he explains. As an example, he mentions his *Rolling Stone* piece on Arnold Schwarzenegger—a breezy, funny portrait of an actor's life. "I teased him relentlessly," Zehme says about this piece. "And he didn't like it. But it's the least of my concerns whether or not Arnold Schwarzenegger will take me on a ride in his humvee." To Zehme, Schwarzenegger's displeasure proves he was sufficiently tough; it confirms his journalistic bona-fides. But the light sarcasm of the piece is nothing compared with the facts Zehme left out—say, Schwarzenegger's fondness for Kurt Waldheim, his political exploits, or his campaigns of intimidation against writers.

Zehme's use of the word "tease" is instructive. Friends tease, certain of a shared understanding and mutual trust. Among celebrities and their profile writers, there is a similar understanding. Zehme calls his recent *Esquire* profile of Jay Leno "a hard piece, a tough piece." Indeed, the first line asks: "Is he man or machine? Is he good or evil?" We learn the dark detail that Leno has erased the first four months of "Tonight Show" tapes and that "in this way, he has erased much of his life story."

But the last line of the first paragraph—"Jay Leno cannot be stopped"—is a better prediction of how the story will proceed. "I helped [Leno] exorcise a lot of the demons that had built up over time," Zehme says. Is glossy celebrity journalism about serving the purpose of art—or about providing free therapy and fawning biographical services?

Writers and editors for these top magazines claim the former—they would be embarrassed to write the syrupy, superficial pieces that the stars love and publicists swoon over. "I do not see *GQ* as fulfilling [publicists'] wishes for marketing," says Arthur Cooper, editor of that magazine. "What they would love is a positive story, a rave, how wonderful this person is, how wonderful the movie is. That's not part of the deal."

But when was the last time you read a critical celebrity piece in *GQ*, or one that panned an upcoming film release (not a movie that had already bombed)? Cooper told me he thought *GQ*'s December 1995 cover story on Antonio Banderas was "tough." Did I read the same story? "At 35, Banderas couldn't be better situated. Fresh from a fat action movie (*Assassins*), a romantic comedy (*Two Much*), a creepy little thriller (*Never Talk to Strangers*) and a much hyped study in hipness (*Four Rooms*), he's proved himself to be as versatile as he is ubiquitous ... inches shy of superstardom." The article follows this tone throughout, pausing only to chart with painstaking detail the public display of affection between Banderas and his girlfriend, Melanie Griffith.

The conceit is that this is "serious journalism." These celebrity profilers see themselves as variants on the hard-nosed political reporter, speaking truth to power. They ask the tough question, offer the embarrassing detail. But it's all just part of the celeb-profile formula. The pieces are written with wry affection; coy hints of criticism ultimately resolve into a dew of pleasantries. Johanna Schneller's profile of Brad Pitt in *Vanity Fair* progresses as follows: "The first time you meet Brad Pitt, you think, Oh dear, Brad Pitt is a knucklehead.... The second time you meet Brad Pitt, you think, Brad Pitt is smarter than he lets on.... The last time you meet Brad Pitt, you think, Brad Pitt is a happy man." In other words, she starts with vinegar, then smothers Pitt with honey.

Lloyd Grove, a *Washington Post* writer who doubles as celebrity profiler for *Vanity Fair*, has this pitch down perfectly. In his recent piece on Sharon Stone, he goes out of his way to embarrass her; he includes the prices she pays for Persian rugs, even as he quotes her asking him not to. In a discussion of Ireland, she "gush[es] about one of her favorite 'Irish' authors: 'I have to say, Dylan Thomas just cuts me to the bone.'" (Get it? Thomas is *Welsh*!)

But these are mere pinpricks in the portrait of a stunning, winsome movie star. The overall effect is less accurately captured by the embarrassing details

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of expensive rugs and misidentified poets than by a scene toward the end: "A beautiful woman driving a jet-black Jeep has pulled up to a curb in West Hollywood, 20 feet from where I'm using a pay phone.... I hang up the phone mid-conversation, without saying good-bye. Her windblown curls dangle at lovely angles. She leans over to open the passenger door, and playfully slaps the empty seat. She is smiling a luscious, lip-glossed smile. Feeling giddy, I obediently climb in next to her. It's Sharon Stone."

Of course, a piece with honest criticism—one that burned, or even singed—would be devastating for a magazine that depends on access to stars. And it would be no good for the writers, either. Consider this: After Bill Zehme's *Esquire* profile appeared, Jay Leno received a $4 million advance to write his autobiography and the opportunity to choose a ghostwriter, who would be paid at least six figures. He chose Bill Zehme.

Out of four recent profiles of Sharon Stone, three used a strikingly similar anecdote about her underwear.

The Deal with Aniston

At times, journalists are ordered to produce a pleasant piece so as not to alienate a star, an agent, or a studio. Usually it's more subtle. "It's this complicated, ambiguous situation," says *New York* editor Kurt Andersen. "Bargains are struck, implicitly and explicitly.... There is some complicated P.R. algorithm that operates in each instance."

The writers and editors I spoke to all denied making deals and insisted on their full independence. But, as Andersen suggests, the deals don't have to be spoken. The biggest deal of all is this: Stars agree to be interviewed; writers agree to certain assumptions about celebrity. As one celebrity profiler for a top New York magazine puts it, "My job is to explain why this person is on the cover of a magazine." The subject must be portrayed as complicated and interesting, worthy of the honor of, say, *Esquire*'s cover.

And so excellent writers spend dozens of hours and spill gallons of ink striving to give synthetic idols a human gloss. The cast of the TV show "Friends" has appeared on dozens of magazine covers since the series became a hit. Each of the stories has an implicit argument: These people do more than read lines well and look good in make-up. As *people*, they are interesting.

As usual, *Rolling Stone* was quick out of the gate with a piece on the cast. Then in March, Jennifer Aniston got the cover. The image is of the actress lying on her stomach, facing the camera, entirely naked. But inside we're told that it's not Jennifer Aniston's body we should be interested in—it's her mind: "When she was 12 years old," the table of contents explains, "Jennifer Aniston was sent to her room for having nothing to say. Fifteen years later, she's not just the girl of the moment; she's not just America's First Hairdo; she's *interesting*" (italics in original). In the piece, Rich Cohen writes, "'Friends' did for Aniston just what she always knew such a hit would do—make her the most fascinating person at the table. *Interesting* is a word that seems to cling to her like a sweater.... 'I'm just baffled,' she says. 'I mean, you think you're just the most uninteresting person in the world, and then all this happens, and you have to wonder, 'Is any of it real?'"

Well, no, it's not. No offense to Aniston, but the profile makes it pretty clear that she still has nothing much to say, even though Cohen is arguing the opposite. We hear about her parents' divorce ("It was awful"), her former flab ("I ate too many mayonnaise sandwiches"), and her circle of friends in L.A. ("Everybody watched out for everybody"). Aniston is pleased with her success and annoyed at the photographers who stalk her. In other words, she's a perfectly ordinary Hollywood actress. Oh, yes, and she's very good-looking. The last line of the article reads: "Then she stands up and walks off and looks terrific going away."

The ethos that pervades this type of piece is a simple tautology: Celebrities deserve our attention because they're celebrities. The Aniston article fell flat, but sometimes the pieces are pretty convincing. After *Newsweek* senior editor Jon Meacham's "newsmaker" cover story on Elizabeth Hurley, we finally know something of her elusive personality. In the hands of such a capable writer, the model is *made* to be intriguing. We learn that she reads

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Nabokov, Graham Greene, and Evelyn Waugh; that "there is about her an air of controlled bohemianism, a witty, self-aware defiance"; that she is considering converting to Catholicism.

It's sophisticated and intelligent—as is Norman Mailer's dissection of Madonna in *Esquire* and Tom Junod's piece on John Travolta in *GQ*. These writers run circles around the third-stringers of the old Hollywood fan magazines. They give us first-hand reports, rather than regurgitating press releases. They give us flair and style, rather than lifeless prose. But it isn't progress. It's a waste of talent.

The *George* Problem

In 1987, the tabloid TV show "A Current Affair" went on the air across the country with its formula of sex, scandals, and celebrities. Just recently, the show was canceled, as clear a sign yet of its influence. In the same way that smart politicians co-opt their opponents' message, the smartest, most able TV journalists made "A Current Affair" irrelevant by adopting its gratuitous coverage of celebrities. Diane Sawyer—formerly of "60 Minutes"—fought for (and won) an interview with Michael Jackson for "Prime Time Live." On the "respectable" network news shows, these celeb pieces are regular fare. "Dateline NBC" recently ran a segment on Kato Kaelin, which was plugged by Tom Brokaw on the evening news. It turns out that the segment featured clips lifted from "Geraldo."

As many of the country's best general interest magazines increasingly focus on celebrities, the big news operations scramble to keep up. *Time* put Claudia Schiffer on the cover for a story on fashion; inside, a story on supermodels—striving to paint the women as more than just pretty faces—falsely reported that Schiffer, Elle MacPherson, and Naomi Campbell control New York's Fashion Cafe. "It's our baby," Schiffer told *Time*. "We make all the decisions." But as Michael Gross points out in his book *Models*, these women don't even own shares in the venture; *Time*—and other august news organizations that have reported the supermodels' "ownership"—apparently bought into a publicity stunt.

Even when celebrity stories are accurate, they are often of dubious value. Sara Rimer, a national correspondent for *The New York Times*, was dispatched recently to cover the wedding of Ted Danson and Mary Steenburgen, which was run as the top story on the national page. *The Washington Post* has put its reporters on the British royalty beat—playing the Charles-Diana drama on the front page three times in recent months. Just as NBC News lifted tabloid material from "Geraldo," reporters at the O.J. Simpson trial scoured each issue of *The National Enquirer* for tips and leads. "I don't think there is a person here who is not reading it religiously," *Washington Post* reporter Christine Spolar said during the trial.

Of course, many hands have been wrung over the O.J. coverage. But, as the saying goes, past is prologue. Now that the country's best papers see *The National Enquirer* as competition, how far will the chase go? Linda Mathews, *The New York Times*'s national editor during the O.J. trial, sums up the problem: "If you put your resources into covering celebrities, then you don't cover ordinary people," she says. "You ignore stories that ultimately are probably more important to your readers."

In recent years, Gallup's lists of the people Americans most admire have included Cher, Donald Trump, Princess Di, and Elizabeth Taylor. That may be unnerving, but it shouldn't surprise. As the best publications capitulate to P.R. hype, it makes sense that the people with the biggest star power, regardless of their merit as individuals, would get the most acclaim.

The focus on personality at the expense of substance has also crept into coverage of business, culture, and politics. *The New York Times* just published yet another psycho-historical profile of Bob Dole. When is someone going to take a serious look at his record?

If such pieces move towards filtering the substance out of politics, *George*, a new political magazine with supermodels and movie stars on its cover, is trying to finish the job. *George* is a lot of fun, and it's done a few good, serious pieces. But for the most part, it covers Washington the way *Vanity Fair* covers Hollywood—that is to say, the best writers, the shiniest celebrities, the reduction of everything possible to the gloss of personality. Each issue closes with a celebrity describing what they would do "If I Were President." As if we should care.

Of course, John F. Kennedy Jr. is building on a family tradition here; his father brilliantly packaged himself as a politician-star and used that glamour to win in 1960. There are few elements of our present celebrity culture that cannot be traced to something

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in the past. But the culture today is a different creature. Yes, Edward R. Murrow did interviews with movie stars, but his serious friends were embarrassed. In the '50s, a new magazine devoted exclusively to celeb-gossip called *Confidential* sputtered out. No imitators followed.

Today, such magazines abound, and so do writers to fill their pages. Celebrity coverage remains one of journalism's few guaranteed growth sectors. Metro staffs are slimming; most political magazines lose money or barely break even. But a new site on the World Wide Web called "Mr. Showbiz" and run by the former editor of the *New York Post*'s "Page Six" gossip column already employs 22 people. And at the top of the food chain, writers for *GQ*, *Vanity Fair*, and *The New Yorker* are plying a very similar trade. Even as you read this they are hard at work producing the next groundbreaking inquiry into the character of Tom Cruise, or Antonio Banderas, or Sharon Stone, making sure that this generation of celebrities will be more ably chronicled than any in history.

But these are writers who could move worlds with their words. They are masters of narrative and language, of irony and pathos. And they're squandering that tremendous power. The work of such writers as Darcy Frey, whose book *The Last Shot* painted a vivid portrait of four young basketball players in the New York projects, and who has more recently profiled air traffic controllers and postnatal care doctors for *The New York Times Magazine,* is a reminder of what good writing can do. His work is maddening, gripping, sad—and very real.

Many of the best and the brightest writers could do work just as meaningful. Instead, they have chosen instead to ply the trade of celebrity sycophancy. Chasing the money in a "Mr. Showbiz" society, they act as if they are tour guides at Disney World instead of cultural arbiters, as if their job is to perpetuate the fantasy, not nudge us back towards the real world. Although it's hard to estimate the toll on any given day, the signs of a culture slowly losing its grip on reality—distracted from broken schools by Hugh Grant, distracted from a broken health care system by O.J. Simpson—are legion. "Charles Dickens could have written these lines about Elizabeth Hurley," Barbara Walters said introducing an interview with the model. "'It was the best of times, it was the worst of times.'" If he were alive today, he just might have. □

Who's Who

Dan Rostenkowski, the former House Ways and Means chairman, will spend 17 months in jail because, according to **Jack Anderson** and **Michael Binstein**, he turned down a plea bargain that would have gotten him off with just six months. Rosty's lawyer, **Robert Bennett**, urged him to take the deal. But Rosty's friends said he should fight. He took the wrong advice....

How much of **Teresa Heinz**'s $760 million fortune can she contribute to second husband **John Kerry**'s campaign for the Senate against Massachusetts Governor **William Weld**? Federal law limits spouses, like other contributors, to giving no more than $1,000 in the primary and $1,000 in the general election. If Kerry now holds jointly, with his wife, some of first husband **John Heinz**'s pickle and ketchup money, its use in the election would be kosher. But, according to **Janet Hook** of the *Los Angeles Times*, "his 1995 tax forms, which were filed separately from his wife's and publicly released April 16, showed no income for assets jointly held with his wife."...

Speaking of **John Kerry,** while he was off becoming a war hero, **Bill Weld** stayed out of Vietnam because he had injured a knee playing squash. At least his staff has a sense of humor about it: They supposedly refer to Weld as "Full Dinner Jacket."...

Not long ago **Henry Hyde** was quoted as saying, "I heard a dear friend of mine, a great Republican, say, 'I trust Hamas more than I trust my own government.'" When Democrats demanded that Hyde reveal the identity of his Republican friend, Hyde declined but did say, "I know some Democrats who trusted the Sandanistas more than they trusted Ronald Reagan. So it happens on both sides and it is regrettable." Although there *is* a distinction between Hamas and the Sandanistas, we get the congressman's drift. Amen....

The choice of **Peter Knight** instead of **Kevin Thurm** to manage the Clinton-Gore campaign is raising some eyebrows. Knight is known primarily as a "money guy," a fundraiser without campaign experience. His being a novice means even more power will be concentrated in the hands of **Dick Morris** and **Harold Ickes**.....

In his new book, *Combat: 12 Years in the U.S. Senate*, **Warren Rudman** writes, "One colleague tearfully told me that his girlfriend was pregnant, his marriage was a disaster, and there was no solution except to resign. I urged him to reconsider, and today he's one of the most powerful men in Washington."...

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Weld's dinner jacket … Kerry's pickle Isikoff's source … and Sperling's "things"…

Michael Huffington, after spending $30 million of his wn money in losing to **Dianne Feinstein** in 1994, is said be disenchanted with politics and is living in California. is wife **Arianna**, definitely not disenchanted, lives in Vashington where she is pursuing a career in punditry with support system that is, as James M. Perry of *The Wall reet Journal* put it, "a little unusual." She has a personal searcher, **Mark Honig**, a personal heduler, **Terrell Gregovich**, and administrative assistant, **Nancy IcPhail**. She also has a publicity gent, **Dan Klores**, a literary gent, **Glenn Hartley**, and a oice coach, **Jessica Drake**, ho, Huffington says, "is oking at all my vowels nd consonants."…

A recent **Bob Dole** speech escribed 1985 as the "height f the Cold War." This may ome as a surprise to those ho remember the 1948 Berlin rlift and the 1962 Cuban Mis-le Crisis….

Samuel Dash, who has been arning $3,200 a week as **Kenneth tarr**'s ethical advisor, told a reporter, 'm being paid at what a paralegal earns in ost law firms." This, we are told by our wyer friends, will be news to most, if not all, aralegals….

In 1994, **Myrtle Evers-Williams** was quoted by the *etroit News* as saying the NAACP did not treat women airly" and needed to "address sexism." But now that she as become head of the organization, she can't seem to re-ember why she said that. In fact, according to a story by **orothy Garter** in *The Wall Street Journal*, Evers-Villiams has resisted testifying in a case involving 40 omen in professional and management positions at the AACP who are suing the organization for sex bias, alleg-g unequal pay, opportunities, and benefits….

Remember how when **Donald Regan** was **Ronald eagan**'s chief of staff at the White House, his aides were nown as "the mice?" Now it seems that the three aides of **ene Sperling**, who along with **Bruce Reed** heads the Vhite House campaign war room, are called Thing One, hing Two, and Thing Three….

Bruce Lindsay has faced eight interrogations on the Hill as well as four separate depositions. The scenario has taken on a Kafkaesque quality: If his interrogators can catch him in even one inconsistency, Lindsay seriously risks being indicted….

If you want to get to **Dick Morris**, the man to see is **Tom Friedman**, who works at the Clinton-Gore headquarters. To see **George Stephanopoulos**, the main gatekeeper is **Laura Capps**. And for **Harold Ickes**, it's his longtime assistant **Janice Enwright**….

Bernie Nussbaum is depicted as a hero in **James Stewart**'s *Blood Sport*, which ends with **Bill Clinton** telling Nussbaum that if he had only listened to Bernie's "good advice," the Whitewater scandal would have been nipped in the bud. But *The Washingtonian*'s **Kim Eisler** asks, "Since Stewart says he never interviewed Clinton, where could that anecdote have come from?" Nussbaum and Stewart go back a ways, according to Eisler, who points out that Nussbaum was an important character in Stewart's first book, *The Partners*, and appears again in his *Den of Thieves*….

Ross Perot may say it's not about him, but some who've dealt with him disagree. **Lowell Weicker** apparently had lined up money for a Reform Party candidacy, but couldn't get assurances from Perot that he wouldn't pull the rug out from under him. **Dick Lamm**, same thing. But if Perot wants to be the nominee, he may have to pack his convention with new recruits—Reform Party stalwarts are reportedly unenthusiastic about a Perot candidacy….

Newsweek's **Michael Isikoff** was the recipient of the leak about **Hillary Clinton**'s fingerprints being on those billing records. Michael Isikoff's guest at the White House correspondent's dinner was **Michael Chertoff**, chief counsel for the Republican majority on the Whitewater committee….

The mystery we raised last month—whatever happened to **Ira Magaziner**?—has been solved. He's heading up an interagency effort to improve U.S. export performance. But Magaziner should know that the question was suggested to us by someone with impeccable White House sources….

—*Susan Threadgill*

Roman Genn

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Suffer the Children

How government fails its most vulnerable citizens—abused and neglected kids

BY DAVID STOESZ AND HOWARD JACOB KARGER

Wearing suits and solemn expressions, New York Mayor Rudolph Giuliani and the city's commissioner of the Administration of Children's Services recently held a press conference to announce the suspension, for 30 days without pay, of the caseworker and supervisor who had mishandled the Elisa Izquierdo case. Elisa was the six-year-old Bronx girl whose grotesque life and death prompted outraged headlines last November. She had been forced to eat her own feces; she had been sexually abused with a hairbrush; her mother had used her head as a floor mop.

Most maddening of all, city officials had repeatedly been warned by neighbors and school officials that Elisa was in danger, yet they had allowed monitoring of the household to lapse. "It's about time that people be held accountable for their actions, their negligence, and probably even worse than that," the mayor said. "It's the only way you're going to build accountability into the system."

Giuliani had it right. Despite more than 24 deaths of children whose cases were supposedly being monitored, no child welfare employee had ever been dismissed or even suspended by the city. In the wake of Elisa's death, the Child Welfare Administration refused to answer questions about the services it had—or had not—provided the Izquierdo family. When journalists and city officials finally penetrated the wall of confidentiality, they found that the agency mandated to protect children from abuse was incapable of doing so.

On average, two children died from abuse and neglect in New York each week. A review of child fatalities by the city's public advocate concluded that "in one third of the cases CWA's own neglect either allowed or contributed to the tragedy." A subsequent state audit found more bad news: In one of five cases child protection workers failed to interview all children in an allegedly abusive family; in two of five cases, workers didn't examine previous reports of child abuse. Nearly a fifth of cases were closed prematurely despite the of risk of future abuse.

David Stoesz is the Samuel Wurtzel Chair in Social Work at Virginia Commonwealth University and the author of Small Change: Domestic Policy Under the Clinton Presidency. *Howard Jacob Karger is Professor and Director of Doctoral Education at the Graduate School of Social Work, University of Houston. They are co-authors of* The Politics of Child Abuse in America. *Research assistance provided by Amy Feldman.*

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The need for accountability is obvious. But at the same time, in pinning the blame on individual employees, we may be missing the forest for the trees. Yes, caseworkers are often poorly trained or underqualified; considering the job description—low pay and daily exposure to profound cruelty—that's not surprising. But most child welfare workers aren't uncaring or indifferent, and they aren't necessarily incompetent. They're simply overwhelmed. The problem is less individual misfeasance than institutional breakdown.

And it's not just the Bronx. In virtually every metropolitan area, services to abused children are in the process of collapse. By early 1996, the public services to care for children had so deteriorated that child welfare agencies in 21 states and the District of Columbia were under court supervision. (Washington, D.C. got its court-appointed receiver when child welfare workers were unable to locate *one in four* children in foster care.)

In 1995, the U.S. Advisory Commission on Child Abuse and Neglect placed the number of child deaths attributable to abuse and neglect at 2,000 per year; of those, most are under the age of four. Together, battering and neglect by parents are a leading cause of death for young children in this country. The Department of Health and Human Services estimates that the number of children abused or neglected annually has more than doubled in the past decade—from 1.4 million to 2.9 million.

No government function is more crucial than protecting those who cannot protect themselves; no members of our society are more vulnerable than children. Yet few government services are in as much disarray, and as starved for resources, as child welfare services.

Some of the problems, such as archaic and overlapping bureaucracies and a shortage of good applicants, are all too common to city governments in the '90s. But piecemeal policymaking at the federal level has also saddled the system with too many cases—and too few funds. Child welfare efforts have been further distorted by political pressures that have elevated preserving the family above protecting the child.

The result is an overloaded system in which too many children are consigned indefinitely to the purgatory of foster care—or are returned to potentially dangerous homes with insufficient supervision. The real outrage is that, as with Elisa Izquierdo, fatal cases of child abuse are rarely isolated incidents. Rather, a series of incidents over time eventually culminate in a casualty. But that's also a cause for hope: If, as a society, we make the effort, at least some of these deaths are preventable.

Cruel Caps

Reports of child neglect and abuse have skyrocketed since the early '70s, but public funding has stagnated. Therein lies much of the problem. Most federal funding for child protection comes through Title XX, a social services appropriation that was capped in 1974 at $2.5 billion. Today, Title XX is funded at only $4 billion. If it had been indexed for inflation between 1977 and 1992, appropriations would have been *$36 billion.*

Had funds been calibrated to service demand, they would have increased even more. The same year that Title XX was capped, the Child Abuse Prevention and Treatment Act (CAPTA) was passed. It mandated that a range of children's service providers—teachers, physicians, and counselors, among others—report instances of alleged child maltreatment to public officials. Through CAPTA, child maltreatment was broadly defined to include physical abuse, sexual abuse, and neglect. The result was a dramatic increase in the number of cases reported—but no concurrent increase in funding to process them.

Yet more burdens were piled on child welfare workers in 1980, with the passage of Jimmy Carter's last significant piece of social legislation, the 1980 Adoption Assistance and Child Welfare Act (AACWA). The act had the noblest of intentions: Since the '60s, foster care, designed as a temporary arrangement, had instead become a long-term experience for abused and neglected youngsters, who comprised half of

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those in foster care. Not only were children left with foster families for years, but many also were bounced willy-nilly from one foster family to another. One study indicated that 34 percent of children in foster care had been there for four years or more. In order to stabilize the lives of foster children, AACWA required "permanency planning" for all children in foster care and, if at all possible, reunification with their biological families.

Title XX funding increased slightly under Carter. But when Ronald Reagan reduced spending by 25 percent and transformed the program into a block grant, AACWA became just one more underfunded mandate for child welfare workers to juggle. By the early '90s, reports of child abuse and neglect had eclipsed 3 million. And by the end of 1992, the number of children in foster care was nearing 500,000. Many children faced a revolving door of foster care, one that in some cases was virtually spinning. A New York boy was placed in 37 different homes during a two-month period; another had lived with 17 different families in 25 days. Compared to children who were never removed from abusive parents, those kids were the lucky ones. In many cases child welfare workers evaded "permanency planning" by avoiding removing children from abusive homes altogether.

Many children faced a revolving door of foster care, one that was virtually spinning in some cases. A New York boy went through 37 different homes in two months; another lived with 17 families in 25 days.

Pressed between static revenues and increasing demand for service, child welfare professionals began to ration care, a tactic that was to prove disastrous over time. One of the authors of this piece worked in San Diego in the '80s and saw the results of care rationing firsthand. Caseloads swelled. Callers to child protective services were put on hold for 20 minutes. There were fewer phone calls and visits to families desperately in need of monitoring. Staff turnover exceeded 50 percent; student interns were catapulted into the position of senior worker; and cases slipped into a black hole. A family could have three or four social workers in a year. One memo instructed case workers not to investigate any abuse complaints involving children of 14 years or older; the presumption, apparently, was that they were at least old enough to run away from home.

It's not hard to understand why staff burned out and left so quickly. They knew—and one suspects were tormented by—what happened to the children in their case files. A case could seem stable enough to set aside for a while. Then suddenly, one day, the child could be hospitalized or dead.

The Child Welfare League of America recommends that a case worker handle a maximum of 15 cases. But in many cities, workers now have *50 to 70 cases apiece*. In Milwaukee, when workers leave the agency, their cases are placed in an unstaffed "vacant zone," meaning children are assured of no care whatsoever. Child protection in Illinois has deteriorated to the point that state officials are increasingly the target of legal action. Since 1989, Illinois has paid $7.9 million to a private legal firm to defend state child welfare officials, enough to hire 200 child protection workers each year.

Family Values

With child welfare stretched to the breaking point, a new program known as family preservation came on the scene. The family preservation movement aimed to prevent the removal of abused and neglected children from their homes. It began with a model, known as Homebuilders, developed in Tacoma, Washington, in the mid-'70s. Rather than remove mistreated children from their homes, Homebuilders proposed to aid troubled families through 24-hour intensive services provided over several weeks by caseworkers who would manage no more than a half-dozen families at one time. When Homebuilders reported keeping more than 90 percent of at-risk families intact, child welfare administrators began to pay close attention, especially since by avoiding more expensive institutional care, Homebuilders claimed savings of $2,331 per case.

Family preservation not only promised to

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stretch diminishing public funds, it also placated the increasing public outrage at the impunity with which some child welfare workers removed children from their parents. Ire at overzealous child welfare workers culminated in 1989, when an 8-year-old girl named Alicia Wade was raped in San Diego. With her father, a retired Naval officer, suspected—and later implicated by Alicia after months of prompting—Alicia was isolated from her family for three years. Fortunately, at the time of trial, a court officer arranged DNA testing of the semen from Alicia's underclothes. The test exonerated her father and implicated a pedophile who worked as a mechanic in the community. The Wade family eventually won $3.7 million in damages from San Diego County.

Alicia Wade became a symbol for mainly middle-class parents up in arms about what they saw as child welfare workers overstepping their bounds. By the early '90s, VOCAL (Victims Of Child Abuse Laws), an organization dedicated to restraining child welfare officials and reinforcing parental rights, had become a potent force in several states. VOCAL critics of child welfare workers and their invasive practices argued that because all families could be labeled abusive due to vague laws, professionals had free rein to intrude in family life. For beleaguered child welfare professionals, "family preservation" was an increasingly appealing option.

Meanwhile, child welfare officials were also being criticized by African Americans who blasted predominantly white welfare workers for placing black children in white homes. The National Association of Black Social Workers formally charged child welfare officials with "cultural genocide."

Kowtowing to these pressures, child welfare workers ignored data showing that poor black children suffered higher rates of abuse and that African American children were more likely than white or Hispanic children to die of abuse or neglect. Long-term research on black children adopted by white parents indicates that they suffer no harm; indeed, most prosper. Conversely, long-term foster care of children in general has been found to be detrimental. Yet child welfare professionals, fearful of the backlash from transracial adoption, unnecessarily put many black children in foster care. Even worse, despite evidence of abuse, child welfare professionals would sometimes opt for the path of least resistance—keeping a child at home.

Family preservation allowed child welfare professionals to defuse three controversies: diminishing public revenues, VOCAL's vitriolic rhetoric, and an African American community up in arms. But all the while a growing body of research was questioning the value of family preservation. A series of experimental studies found that family preservation was no better than traditional services on a number of counts—including the likelihood of a child being removed from home. Illinois child welfare officials commissioned child welfare researchers from the University of Chicago to do a three-year assessment of its Family First program; they reached similar conclusions. Despite the fact that the "family preservation" families received 10 times the family support service that the control group did, this strategy yielded no significant improvement in family welfare. In fact, it appeared that Illinois was spending $20 million in family preservation to save $2 million in foster care expenses. But Illinois officials insisted on pursuing family preservation, even if it meant that children stayed in dangerous conditions at home.

National child welfare policy demonstrated the same disregard for the evidence. The Family Preservation and Support Program of the Children's Initiative, featured prominently in the 1993 Clinton budget, earmarked $930 million over five years for family preservation, leaving child protection as an inconvenient footnote. As Mayor Giuliani noted after Elisa Izquierdo's death, "The philosophy of child welfare has been too rigidly focused on only holding families together, sometimes at the cost of protecting children."

Neglectful Policies

Cutting back on family preservation is just the beginning. Here is what else must be done to protect vulnerable children:

• *Redefine child abuse as a public safety problem.* In many American communities, domestic violence has been reclassified as assault. That means the police must press charges even if the victim is reluctant to do so. The message is clear: Beat a woman and go to jail. Why not institute a similar practice for abused children?

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"Child abuse is, first and foremost, a criminal act," writes UCLA's Duncan Lindsey, "requiring decisive coercive control, and is therefore a police matter." It is not purely a "treatment" and social service issue. Assigning these investigations to the police would allow child welfare professionals to do what they do best: provide a variety of supportive services to troubled families.

Equally important, it could serve as a powerful deterrent. The threat of stiff criminal penalties might cause a raging parent to think twice. *The Washington Post* recently reported on the sentencing of a man who had beaten his girlfriend's child to death. The boy's injuries were so severe that they resembled those caused by a fall from a tall building; his chest was so badly crushed that rescue workers were unable to perform CPR. The killer got 5 to 15 years—the maximum—and will be eligible for parole in less than four years. What kind of message does that send?

• *Tighten the definition of child abuse and neglect in order to cut down the number of unfounded cases.* Estimates place the number of unfounded reports of abuse and neglect at upwards of 65 percent in some communities. The reason is the overly broad definition of abuse passed in 1974. The National Committee for the Prevention of Child Abuse includes the following as possible indicators of child sexual abuse: clinginess, a reversion to bed-wetting or thumb-sucking, a display of sexual knowledge beyond the child's years. Although these could come from sexual abuse, they could come from many other factors as well.

But the media hype on sexual abuse, especially among the middle class, has encouraged parents to imagine the worst. Regrettably, President Clinton has failed to fund a Presidential Commission on Child and Youth Deaths, authorized by former President Reagan, which could clear up much of the confusion surrounding data on child abuse, neglect, and fatalities.

• *Encourage adoption over indefinite foster care and family preservation.* Last year, *LA Weekly* reported on the death of a child named "Lance": He had been happily living with his aunt, who was willing to adopt him. Instead, in the name of "family reunification," L.A.'s Dependency Court returned him to his father, despite a history of heroin addiction and abuse in the family. Eleven weeks after his return home, Lance was beaten to death by his father's girlfriend; his body had been used as a virtual punching bag.

The same court had given a pedophile father, who repeatedly raped his retarded daughters, unmonitored reunification visits for 60-day periods. The subsequent abuse was so heinous that the father ended up in prison for six years. Another child, born with fetal alcohol syndrome from her mother's alcoholism, was reunified with her mother—who a short time later killed her daughter by beating her and forcing her to ingest large quantities of rubbing alcohol. If we're going to sanctify the notion of family, we ought to be encouraging safe, stable families—the kind children won't find in foster care or abusive homes. Adoption—by a person of any race or religion—should be encouraged. To his credit, President Clinton recently proposed loosening restrictions on transracial adoption.

• *End arbitrary confidentiality rules.* Social welfare departments, under assault for poor performance, have developed the organizational equivalent of paranoia, using agency procedures to thwart public scrutiny. Two reporters, Marjie Lundstrom and Rochelle Sharpe, won a Pulitzer Prize in 1990 for their work on the failures of child protection. Notable among their findings: There were no reliable numbers on fatalities nationwide because many states simply didn't keep track. Some social workers were actually forbidden by confidentiality laws to confirm that a child had been killed.

Cases in which children are killed by abuse should be opened to the public, and child death review teams should be established to determine the cause of agency failure. The use of confidentiality to cover lapses in the protection of children is untenable for publicly funded agencies functioning in the public interest.

• *Consolidate existing services for children into a local Children's Authority.* The elaborate bureaucracies inherited from the industrial era—Departments of Social Services, Public Health, and Juvenile Services coexist in most cities—are unacceptably wasteful. It's one thing when a bad public program means your mail is late. But the need for good government takes on considerably more urgency when children are being beaten or killed.

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Fixing the system won't be cheap. But is child protection really where we want to look for budget cuts, as we've done in the past? We need to give child welfare workers enough support to do their job—with the specific goal of reducing the number of cases each worker carries. *Then* we can truly hold them accountable. This won't be cheap; and increasing funding is no guarantee of efficiency. But in the absence of any real financial support, the child protection system has atrophied. In response, caseworkers stint on care and look for easy solutions.

The easiest solution of all, unfortunately, is to leave a child in a dangerous situation. Just seven months after Elisa Izquierdo's death, a foul odor drew police to a Bronx apartment. Outside, stuffed in a garbage bag, they found the rotting body of two-year old Rayvon Evans. Again, fingers were pointed at child welfare workers: Abandoned by his mother as a newborn at the hospital, he had been returned to his parents from foster care just seven months before his death. Despite the ballyhooed reforms Giuliani announced in the wake of Elisa's death, little seems to have changed in child protection. The agency's record-keeping is still only partially computerized. The Bronx has an estimated 80 unfilled caseworker positions. And an agency official cited state law to avoid discussing details of the case. As Mark Green, the city's Public Advocate, said, "The crisis is accelerating ... faster than the reforms are coming." □

The Washington Monthly

JOURNALISM AWARD

March 1996

Various
Los Angeles Times

The *Times*'s investigation of "back-channel" admissions at UCLA for the children of the rich and well-connected sent shock waves through California, for good reason: The notion that a *public* university, supported largely by taxpayer dollars, would give preference to VIPs cuts to the heart of our cherished belief that America is a meritocracy.

Darcy Frey
The New York Times Magazine

Primarily through on-the-job observation, Frey pieces together a gripping account of the harrowing conditions and sometimes untenable pressures overworked air traffic controllers face—and a reminder of how perilously close to disaster we fly. Frey shows how the air traffic control system has been devastated by personnel problems and badly outdated equipment.

Whitewater Coverage

March marked a turning point in the coverage of the web of deals and investigations collectively known as Whitewater. A handful of journalists exhibited some needed skepticism toward the investigation and offered some perspective on its subject. A few worth noting:

Joe Conason and Murray Waas, ***The Nation***, for exposing Kenneth Starr's hidden conflict of interest with the Resolution Trust Corporation.

Joe Conason, ***The New York Observer***, for deflating the hype over *Blood Sport* and its erroneous allegations against Hillary Clinton.

Garry Wills, ***The New York Review of Books***, for a definitive analysis of *Blood Sport* and the RTC reports.

The Monthly Journalism Award is presented each month to one or more newspaper, magazine, radio, or television stories (or series of stories) that demonstrate a commitment to the public interest. We are particularly interested in reporting that explains the successes and failures of government agencies at all levels and of other institutions such as the media, corporations, unions, and foundations that contribute to the existence or solution of public problems. Please send nominations (including two copies of the article or broadcast text) to Monthly Journalism Award, 1611 Connecticut Ave. NW, Washington, DC 20009. Nominations for stories published or aired in April will close June 15. The winners will be announced in the July/August issue.

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When Push Comes to Poll

The latest in negative campaigning is just a phone call away

BY LARRY J. SABATO AND GLENN R. SIMPSON

Oh, the telephone is now a very evil technique.
—Republican pollster Frank Luntz, November 1994

The one thing I see repeatedly is the total abuse of the phone. It's really running rampant and getting worse.
—Democratic consultant Joe Trippi, August 1995

It was January, and Steve Forbes was riding high on flat tax fever. *Time*, *Newsweek*, and *U.S. News* featured him on their covers; he led the polls in Iowa. Then suddenly, like a political Hindenburg, Forbes was crashing and burning. As the caucuses drew near, polls showed a remarkable slide in his support.

At the same time, Forbes headquarters started receiving curious reports from supporters—reports of phone calls trashing the publishing scion. Some callers claimed to be conducting a poll, others just spewed criticism—of Forbes's flat tax plan or his position on gays in the military—and hung up. Some claimed to be from "National Market Research," others from a group called "Iowa's Farm Families." Some gave no identification at all.

Forbes knew he'd been ambushed, but there wasn't much he could do without any hard evidence. He called a press conference to allege that Senator Bob Dole, the putative but weak front-runner, was behind the telephone tricks. But Dole and his handlers flatly denied it. Indeed, the Senate majority leader went so far as to suggest that Forbes had caught some of Ross Perot's famed paranoia. Added campaign manager Scott Reed, "Forbes is attempting to muddy the waters by falsely accusing the Dole campaign and other candidates of making anonymous telephone calls attacking him."

Having beaten back Forbes's insurgency, Dole went on to win an underwhelming but nonetheless crucial two-percentage-point victory in the caucuses.

But when they denied the dirty tricks campaign, Dole and his staff either were misinformed or weren't telling the truth. Hearing Forbes's allegations against Dole, a political columnist for the Springfield, Illinois, *Journal-Register* named Bernard Schoenburg followed up some tips about a "boiler room" operation in town said to be working for Bob Dole. Schoenburg soon found a number of people, including homeless people and refugees from the fast food industry, who gave detailed accounts of making calls for the Dole campaign at $6 an hour. A few weeks later, *The Wall Street Journal* matched Schoenburg's initial report with Dole campaign records showing

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more than $1 million in payments to a somewhat notorious New York City telemarketing firm, Campaign Tel Ltd. The head of the firm admitted to conducting a massive negative phoning campaign on Dole's behalf. Interviews with employees and corporate documents indicate that at least 10,000 calls were made to Iowa alone, and that Campaign Tel ran similar operations in New Hampshire and other key primary states.

Confronted with this new evidence two weeks after the caucuses, the Dole campaign admitted a negative phoning campaign. But spokeswoman Christina Martin insisted to the *Journal* that the calls "amounted to messages that have mirrored our television commercials." She offered no explanation for the blanket denials issued originally.

During every campaign season, a great deal of attention is properly devoted to condemning misleading television advertisements and nasty direct mail. But the telephone is now the primary means for delivering underhanded and anonymous attacks in political campaigns. This explosion in negative phoning—called "push polling"—has largely been ignored, even though it has become the rage in American campaigns, to the detriment of both civility and the truth. The push poll operates under the guise of legitimate survey research to spread lies, rumors, and innuendo about candidates. Hundreds of thousands, probably millions, of voters were telephoned and push polled during the 1994 elections. This effort dramatically increased the negativity in American politics.

Many voters and observers are disgusted and enraged by this tactic, but sleaze telephoning can work efficiently and effectively. Unless exposed and checked, it is bound to become standard ammunition in campaign arsenals across the United States. Only a sharp, sustained rebuke from the press and an informed public bent on punishing the perpetrators can stop the swift spread of this campaign cancer.

Reach Out and Slime Someone

A push poll is a survey instrument containing questions that attempt to change the opinion of contacted voters, generally by divulging negative information about the opponent. In other words, it's campaigning under the guise of research.

Some forms of push polling are legitimate. The most common and defensible practice is an adjunct to "opposition research," efforts to learn about opponents' records and discover what might reduce public support for them. Commonly, a pollster working for a candidate will pre-test positive and negative campaign themes—including some blemishes that may not yet be publicly known. The information contained in research-oriented push polls is fact-based and essentially true (even if presented in a blunt and exaggerated partisan style).

A second type of push poll—the "agenda-driven survey"—is intended to produce a favorable result for the client-candidate, so that potential contributors and the press can be apprised of the candidate's "impending victory." Donors want to give hard-earned dollars to a likely winner, and the news media love to publish and air horse-race polls. With some luck, skillful pollsters can create a bandwagon effect for their candidate. The poll consists of reading biographical sketches—heavily biased against the opponent—and asking the respondent whom they will likely support. As you might guess, these polls are extremely poor predictors of actual outcomes. In a race for a Missouri House seat in 1994, Republican pollster Frank Luntz found an eight-percentage-point lead for GOP nominee Ron Freeman over Democrat Karen McCarthy. Yet on election day McCarthy won easily, despite the overall GOP tide.

The first two types of push polls seem almost harmless when compared with the third form, namely "negative persuasive" or "advocacy phoning." This push poll is not really a poll at all, but a form of targeted voter contact and canvassing. It doesn't target a random sample, but as many voters in a target population—union members, for example, or gun owners—as possible. The message is short—even a minute or less—and asks no demographical background information of the respondents. Respondents are first asked which candidate they favor. If the client-candidate is chosen, the respondent is simply placed on the get-out-the-vote list for election day. But if the respondent picks the opponent or says she is undecided, then a torrent of negativity is unleashed: "Would you still support this person if you learned that he [is a tax-evader, a baby-killer, or shoots newborn puppies for sport]?" As one frank push pollster explains, "What you're trying to do is mobilize voters against a candidate.... You're taking a specific audience and literally telling them why they shouldn't be voting for somebody."

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The scale and telephone technology of push polling are new; the concept itself, and the depths to which it can descend, unfortunately are not. Richard Nixon was one of push polling's pioneers. In his very first campaign, a successful 1946 run for the U.S. House against Democratic incumbent Jerry Voorhis, Democratic voters throughout his district reported receiving telephone calls that began, "This is a friend of yours, but I can't tell you who I am. Did you know that Jerry Voorhis is a Communist?"—at which point the caller hung up. Although no firsthand evidence was produced to link the Nixon campaign directly with the calls, at least one individual has come forward admitting that she worked for Nixon at $9 a day, in a telephone-bank room where the attack calls were made.

Just before the election, supporters of a Senate candidate got a call that asked: "Would it make any difference if you knew Ann Wynia was a lesbian?"

For decades this kind of negativity was condemned by the press and most political professionals. Now, some candidates, parties, and consultants brag openly about their excursions into sleaze—once the campaign is over, that is. In 1986, for example, the Democrats and their allies in the labor unions undertook massive negative persuasive phoning just before the elections that restored a Democratic majority to the Senate after six years of GOP rule. The telephone message centered upon the Reagan administration's supposed plans to undermine and reduce funding for Social Security—a highly suspect allegation that nonetheless appeared to do the trick. This episode has been repeatedly cited by Democrats as a clever tactic, and similar polls continue to be a mainstay of Democratic "outreach" to senior citizens.

More than 100 political consulting firms specializing in persuasive phoning have sprung up over the past two decades. For example, 154 telephone firms offering political "direct contact" services were listed by *Campaigns and Elections* magazine. The new technology of computer-aided telephoning and target selection has made the process of political and commercial marketing by phone easier and cheaper; a single operator can make 80 to 100 completed calls with a short message each evening hour, at a cost (depending on message length and company) of $.45 to $1.30 per call. In other words, a quarter million targeted calls can be made for $112,000 to $325,000. The expense compares favorably to that of television and direct-mail ads, and firms that sell the service give candidates the hard sell—igniting the latent fear that the other side may be using the technique already.

One push-poll entrepreneur, Mac Hansbrough, president of Washington, D.C.-based National Telecommunications Services, wrote in 1992 that negative phoning was "the single most important and cost-effective communications tool a campaign can employ." In a *Campaigns and Elections* article called "Dial N for Negative," Hansbrough correctly suggested the technique would "take its place beside negative television, radio, and direct mail as a necessary tool in the ... consultant's arsenal."

One Hansbrough client in 1994 was Florida Democratic Governor Lawton Chiles, who ran a successful race for re-election against Republican Jeb Bush, son of former President George Bush. After the election, Republicans claimed that Chiles's narrow victory (65,000 votes out of 4.2 million cast) was due to these negative telephone scripts, read to tens of thousands of Floridians shortly before the election.

Script 1: Hello. This is [interviewer's name] calling on behalf of the Florida Association of Senior Citizens. We are calling to let you know that [Republican nominee for governor] Jeb Bush is no friend of seniors. Bush's running mate has advocated the abolition of Social Security and called Medicare a welfare program that should be cut. We just can't trust Jeb Bush and [lieutenant governor nominee] Tom Feeney. Thank you and have a good day/evening.

Script 2: Hello. My name is [interviewer's name] calling from the Citizens for Tax Fairness. I am calling to remind you that, unlike thousands of your fellow citizens, Jeb Bush failed to pay local and state taxes, and he has profited at the taxpayers' expense from business deals involving failed savings and loan properties. Mr. Bush doesn't play by the same rules like the rest of us, and we want to make sure you are aware of this before you cast your vote on Tuesday. Thank you and have a good

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day/evening.

When these calls came to light, Chiles's aides denied involvement—a practice that usually works, because documentary evidence is hard to find and reporters often lose interest. But it has since emerged that the calls were made on orders from top campaign officials and carried out by a Washington telemarketing company. None of the charges against Bush or his running mate could be substantiated by the Chiles campaign. Now the incidents are being investigated at length by the Florida legislature, and Chiles has been forced to defend his integrity under oath before the body—a precedent in Florida history—with the embarrassing explanation that he was out of the loop.

But embarrassment from using push polls is rare. In fact, Hansbrough cites "lack of spillover" as one of the prime benefits. That is, negative phoning leaves few footprints. TV and radio ads can be heard by anyone and are often reported in the newspaper. Direct mail can find its way into anyone's hands. Phone calls leave no such trace. Scripts are tightly controlled and rarely get out to the press, general public, or opponents. Phone calls are the true communications stealth technology of the future. That means candidates have a hard time rebutting false information, journalists have a hard time doing "truth checks," and other measures that keep campaigning accountable to basic standards of decency and accuracy are absent.

It is also rare to find confirmation of push polls, as in the Chiles case. For that reason, it's possible that some of the reports below are inaccurate or exaggerated, because none of the polling was tape-recorded. But the legislators listed here are recounting what random citizens and supporters told them or their staff after push polling. The wordings often ring true or sound familiar. And the sheer bulk of complaints lends them further credibility.

Tele-mudslinging

Candidates—fearing a backlash or a damaging news story—usually seek a buffer between their campaigns and the telephoning. So the sponsorship is passed to the national or state party committee, or a friendly allied group (e.g., a labor union or a conservative organization). In some cases, a separate front vehicle is actually invented, such as "Citizens for Tax Fairness" or a neutral-sounding polling research company. Typically, the campaign controls the message, and the final scripting normally is approved by it. But voters are left in the cold as to the origins of the calls.

One such company is the Southern Education Council, a telemarketing firm in Austin, Texas, that typically raises funds for firefighters' associations and other civic groups. A few days before the November 1994 elections, an employee named Joshua Harris reported for work to find a very different kind of script on his computer terminal. The calls targeted abortion-rights advocates Harris Wofford of Pennsylvania, Ronna Romney of Michigan, and Ann Wynia of Minnesota. "Easily 100,000 calls were made," Harris says. "Maybe more." All the candidates whom the phoning was designed to help—respectively, Republicans Rick Santorum, Spencer Abraham, and Rod Grams—won their races.

It was all too much for Harris, a 24-year-old African-American and Democratic Party activist. He alerted the Wynia campaign, which tipped off a reporter for the *Minneapolis Star-Tribune*. For his pangs of conscience, Harris was temporarily suspended from his job.

For its part, the Southern Education Council refused to identify its client to us, and a thorough check of all relevant Federal Election Commission records revealed that no group had disclosed payments to the council or its parent company, even though disclosure was required under the Federal Election Campaign Act. It now appears that the telephoning was funded by the National Right to Life Committee, using money provided by the National Republican Senatorial Committee (NRSC). Chris Georgacas, chair of the Minnesota GOP, identified the anti-abortion group as the source of the polling, and NRSC Chairman Senator Phil Gramm admitted giving $175,000 to the organization in the days leading up to the election.

A number of Democratic U.S. House candidates also told us about distorted push calls regarding their abortion records. Former Representative Ted Strickland of Ohio, who lost a close race for reelection in 1994, says his district was flooded in the last week with negative calls. He remembers it this way: "Basically, the message was this: 'Do you know that Congressman Strickland supports abortion on demand through the ninth month [of pregnancy]? And that he wants to use public tax dollars to pay for it?'" "Now, it's true I support public funding," Strickland says, "but I have never

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supported abortion on demand through the ninth month, and would never, obviously." Strickland is convinced that the phoning came from outside his district because "on the one message left on a recording device that I heard, the [interviewer] mispronounced the name of my opponent. So the people making the calls were not familiar enough with him to pronounce his name correctly."

Sometimes outside interest groups and even political parties conduct negative persuasion phoning without the specific approval of, or script review by, individual campaigns. In a hard-fought contest for a U.S. House seat from Maine in 1994, Republican nominee Rick Bennett denounced a late-campaign push poll that asked respondents if their opinion of Bennett would be changed if they knew that he had "defaulted" on $10,000 worth of student loans, yet had lent the same amount to his campaign. Bennett actually had $7,000 remaining on his student loans at the time, but had consistently met his required monthly payments and abided by all the terms of the loan agreement.

The tradition of smearing by phone goes back at least as far as Richard Nixon's first race for Congress. But the practice has exploded in recent years.

Bennett learned of the push polling from a constituent named Scott Landry of Wilton, Maine. Landry had challenged the interviewer about the nature of the "poll," and was told the results would go to "the Democratic Party." The chairwoman of the Maine Democratic Party flatly denied that the party was engaging in any push polling. But one of Democratic candidate John Baldacci's campaign consultants, David Heller of Politics, Inc., now confirms the national Democratic Party had a role. He says the party hired the D.C. polling firm Lauer, Lalley & Associates, which was paid by labor unions. "They asked the student loan question," Heller says, and also, "'If you knew Bennett sponsored a bill in the Maine Legislature that would have cut the state attorney general's budget down to virtually nothing and allowed murderers to go back out on the streets, would you support him?'"

According to Heller, the campaign hadn't wanted the push-polling assistance. "John Baldacci had promised not to run a negative campaign. We went out of our way to portray John as somebody who's not a politician, somebody different, somebody who's not going to throw mud. John looked great in comparison to all the other nasty races going on in Maine. And then, people start reading in the paper that the Baldacci camp is going negative and they say, 'We knew he was just like everybody else.'" Baldacci won a closer-than-expected race.

"This is one of my biggest frustrations," Heller says. "The Democratic Party decided they could run the race better than the candidate and his campaign. They tried to browbeat us into going negative and we wouldn't do it. Then they ran a negative poll to say, 'Look, it works.'"

As for the defeated Rick Bennett, he thinks his candidacy was severely damaged by the student loan allegation, even though he attempted to refute it in a press conference held shortly before the election: "There's really no way to effectively combat this kind of underhanded campaigning. You come out at a press conference and announce, 'They're saying I defaulted, and it's not true.' So you publicize the charge and people start wondering if you did it or not. You can't win."

As the campaigns of 1994 proved, National Telecommunications Services' Mac Hansbrough was prophetic when he predicted in 1992 that "negative phoning will probably be used quite heavily in the next decade." Of the 45 candidates for the 104th Congress we interviewed, fully 34 (almost 80 percent) claimed that push polling was used against them. Only one, freshman Republican Representative Rob Ehrlich of Maryland, admitted using it himself. Campaign veterans claim there was an explosion of push polling in 1994. "It's existed for years, but I'm telling you it was heavy duty this cycle," says one veteran operative.

Because negative persuasion phoning tries with a brief encounter to cause the respondent's adrenaline to pump with outrage, hot-button issues are preferred. Abortion, gun control, and taxes all do the trick with the appropriate target audiences, but one of the most reliable—and apparently, relied upon—topics is homosexuality, which turned up in push polls all across America in 1994.

Most common was a focus on various Democratic congressmen's alleged support for President Clinton's attempt to let homosexuals serve openly

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in the U.S. military (later compromised into the current "don't ask, don't tell" policy). "The areas around a military base in my district were targeted," says former U.S. Representative Tom Barlow, Democrat of Kentucky, who lost his bid for re-election. "People got calls asking, 'Do you know that Mr. Barlow is for gay rights?'"

The most extreme use of anti-gay push polling came in a number of congressional contests around the country, where heterosexual Democratic candidates were "revealed" as gay or lesbian in last-minute negative persuasion calls. These phony "outings" were true smear campaigns and may well have proved costly to their victims. According to Beth Bernard, campaign manager for Minnesota Democratic U.S. Senate nominee Ann Wynia, the "lesbian calls" came on election eve: "Would it make a difference if you knew that Ann Wynia was a lesbian?" Ohio Democratic U.S. Representative Eric Fingerhut received much the same treatment: "I'm single, and I kept getting reports about the push-polling calls that would ask anyone who said they were for me, 'Would you still vote for him if you knew he was gay?'... It happens not to be true, and my friends laughed about it. But it was a catch-22. What do you do? Do you hold a press conference and say, 'I'm not gay!'?" Fingerhut did not hold the press conference. He also did not get re-elected.

When Sleaze Comes to Call

If, as former U.S. House Speaker Thomas "Tip" O'Neill once said, all politics is local, it was inevitable that push polling would be used in local election contests. And indeed it has been employed, with no holds barred.

For example, more than a dozen 1993 state legislative races in Virginia featured "lies, rumors, half-truths, smears, and gross distortions" in push polls, according to an enterprising state politics reporter who obtained actual copies of the suspect questions and who staked out the pollster's phone bank headquarters. Bob Gibson of the *Charlottesville Daily Progress* determined that Cooper & Secrest Associates, one of the nation's largest Democratic polling firms, directed 400 to 500 calls to registered voters in each targeted House of Delegates district, many of them asking highly misleading questions:

• Listing reasons "some people have given us as to why" Delegate Robert D. Orrock should not be re-elected, the interviewers claimed "although his mother-in-law runs a private day-care center, Bobby Orrock voted against legislation that would have led to increased state oversight and regulation of private day-care centers." In fact, Orrock's mother-in-law is a retired bank teller who has never run any day-care center or even baby-sat on a regular basis, and the bills referred to in the question were killed by Orrock's committee at the request of the sponsor.

• Voters were asked their opinion of the seriousness of Delegate Riley Ingram's "dozens of misdemeanor violations" for "the properties he rents." Ingram has never been taken to court, much less been convicted, of violations on any of his properties. (Ingram's sister was called by the pollster and tipped off her brother.)

In Ohio, Cooper & Secrest ran a poll alleging that a Republican, Martin Hoke, had been "part of religious cult where he wore a turban, a beard, and had an assumed name." The Sikh religion, which Hoke had joined two decades earlier while a student at Amherst College, is certainly not a "cult."

As these examples make clear, negative push polling's methods and madness are limited only by the ingenuity—and devilishness—of the practitioners. U.S. Rep. Carolyn Maloney of New York City was the target of calls that tagged her as an opponent of rent control and stabilization. The message, naturally directed toward people who lived in rent-controlled units, was false. Oliver North, running for the Senate in Virginia, was linked to Louisiana racist David Duke by a Democratic phone bank run from Kentucky. In 1990, North had campaigned *against* Duke in the bayou state when Duke was himself seeking a U.S. Senate seat. Conservative Republican Mark Sanford, no fan of Clinton's, was labeled "a liberal Democrat and a friend of Bill Clinton."

But few candidates were the target of more special interests at once—from the National Rifle Association to the tobacco industry—than the late Mike Synar, the Oklahoma Democratic congressman who lost his seat in a party runoff primary in 1994. Synar told us that some of his opponents sponsored a computerized push poll in which a respondent's choice of Synar (when asked voting intentions) produced an unusual retort from a computer-automated interviewer: "Mike Synar? I can't believe you'd vote for him! He's a jerk!" □

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Tidbits & Outrages

UNDERSTANDING ASIAN CULTURE 101

Translated to Chinese, then back to English, Arnold Schwarzenegger's movie *Kindergarten Cop* comes out as *Devil King of Children.*

UNDERSTANDING ASIAN CULTURE 202

The Chicago Tribune reports that the latest trend in Beijing is "oxygen bars," where the upwardly mobile pay about $6 an hour to inhale fresh oxygen. Special herbs and spices are extra.

WHITEWATER...WITH PICKLES ON THE SIDE

In a recent piece, *Washington Post* reporter Lloyd Grove included this quote from Jim McDougal: "How would you like to buy us a sandwich?"

NEXT ON THE GOP AGENDA: MIDNIGHT TARGET PRACTICE

The newly elected president of the National Rifle Association is urging youth programs to give young people "positive values." According to a report in *The Washington Post*, NRA president Marion P. Hammer is worried that too many young people are "hanging out in the mall, hanging around crack houses, hanging out in limbo with no moral compass."

ABSOLUT WASHINGTON

Last year, a D.C. garbage truck on its way to a landfill was impounded when the driver confessed to driving under the influence of alcohol. The city could have paid $250 to retrieve its truck that day; instead, after 60 days of paperwork and evaluation, it paid $9,300.

PUBLIC ENEMY NUMBER 1: MURRAY LENDER

Mark Smith, head of George Washington University's Department of Emergency Medicine, calls bagel-related wounds—such as cut fingers and hands—"the great under-reported injury of our times."

THE POWER OF POSITIVE THINKING

Greenspan optimistic, so markets take a dip

from The Washington Times

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Don't Be An *Idios*

The case for participation in public life

BY KATHLEEN KENNEDY TOWNSEND

September 20, 1994, was "Customer Service Day," not for Wal-Mart or Chevron, but for the 2.2 million employees of the federal government. To spread the gospel of Al Gore's Reinventing Government initiative, top government officials left the confines of their offices and rolled up their sleeves: Roger Johnson, director of the General Services Administration, pumped gas at a filling station for government-owned vehicles; Secretary of the Interior Bruce Babbitt welcomed visitors to Faneuil Hall, a national landmark in Boston; and State Department Undersecretary Richard M. Moose worked the desk at a passport agency. The day reflected the mantra of government reformers: The secret to restoring public faith in government is to imitate business and treat American citizens like customers.

We all want our government to deliver the services we depend on efficiently, whether it's drug approval, air traffic control, or drivers' licenses. President Clinton and Vice President Gore deserve praise for cutting the federal workforce and improving government performance. But making the government work better is a means to an end, not an end in itself. If all we asked of government was efficiency, most any form of government would do, even fascism. (After all, it took Mussolini to get the Italian trains running on time.) In America, we need our government to be more than just a McDonald's writ large. And as American citizens, we need to be treated as more than mere customers who plunk down a portion of their paychecks in exchange for goods and services.

The Founding Fathers rebelled against monarchy because a life subject to another's rule is intolerable. Democracy's promise was laid out for the Founding Fathers by the first democrats, the Greeks, who so valued public life that their word for idiot, *idios*, meant a private person—one who did not engage in public affairs. For Thomas Jefferson and his compatriots, the pursuit of the happiness democracy can confer was one of the principles upon which the nation was founded. Self-government did not mean just casting a vote every four years; it meant participation in the process of governing. Near the end of his life, Jefferson wrote of the afterlife to his friend

Kathleen Kennedy Townsend is the lieutenant governor of Maryland.

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John Adams: "May we meet there again, in Congress."

Today, few people share Jefferson's vision of the pleasures of political participation. Over the past 80 years, government has closed the doors to civic involvement. Citizens, in turn, have been all too ready to surrender their role in public life, and all too willing to blame government for its shortcomings. Participation in politics and government is no longer seen as a right and an honor, but as something dirty and corrupting.

We can't think of cops as chambermaids who do the jobs for which we don't have the stomach.

The chief challenge for government over the coming decades, then, is to help the public rediscover the pleasures that public life can offer by engaging them at every level of government action. When this happens, the destructive anti-government sentiment will subside, and so will the powerlessness and apprehension many Americans feel when they think about their future.

The model for this kind of government renewal can be found in some reform efforts directed at the two institutions where government is most visible and most directly affects the lives of average citizens: the police department and the public schools.

Let's consider the first. Several police departments across the country now employ community policing, which aims to increase public involvement in one of government's most basic roles, protecting the public. Community policing's principles are based on simple common sense. Built on the traditional model of the beat cop, community policing emphasizes proactive problem solving to prevent crimes rather than investigation after the damage is done. Instead of racing from one call to another, officers take time to familiarize themselves with the neighborhood and attempt to attack the local conditions that breed crime.

Community policing relies heavily on cooperation from community members, whether in identifying the homes of drug dealers, testifying in court, or actually forming community watch groups to help walk the beat. At its heart, community policing reinforces the message that public safety cannot be protected if we cede the responsibility for doing so to police and prison wardens alone. We can't think of cops as chambermaids who do the jobs for which we don't have the time or stomach. Like all public objectives, the safety of our communities can only be secured when the entire public is involved. In no place is community policing more critical than in the inner city, where crime and drugs have eroded the conventions of society.

Community policing has proven effective at fighting inner-city crime, in large part by restoring the bonds of trust between citizens and the police force. In Kansas City, the police department embarked on a "stop-and-frisk" operation that used traffic stops as a pretext to search for illegal firearms. Normally, such an aggressive operation would spark community protest. But officers knocked on every door in the target area before the operation began to explain what they were going to do and thus build support. The results were phenomenal: Residents cooperated and gun-related crime fell 58 percent from the previous year's levels. In the Boyd-Booth section of Baltimore, residents identified drug dealers for police, and community associations brought civil actions against houses serving as havens for drug dealers. Community policing tactics have helped cut violent crime in Boyd-Booth in half.

In Maryland over the past year, dozens of community watch groups known as Citizens on Patrol (COPs) have formed to accompany community policing programs. The routine for the COPs is simple: Each night, one volunteer drives around the neighborhood, checking on known danger spots and reporting potential problems to the police. There are, of course, certain types of crime the patrols cannot stop, such as domestic abuse and most murders. But for those crimes that occur in public, such as robbery or vandalism, the citizen watches have succeeded in bringing crime rates down.

Over the past year, I've held forums around Maryland to discuss the new policing methods, and I've been struck by the change in attitude among people whose communities employ community policing or citizen watch groups. Too often, crime leads to a general pessimism about the future of a neighborhood and residents' ability to turn things around. The quick success of commu-

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nity policing and the citizen patrol groups in bringing crime rates down overrides those feelings of powerlessness and fear. When a neighborhood implements a patrol group, "you see people coming out of their homes," Oppenheim says. "There's a feeling that [the neighborhood] is safer because the patrol is out."

Communities across the country are now trying similar efforts. In Los Angeles, for instance, hundreds of citizens have undergone police training on their own time and expense in order to serve as police reserves. They perform the full range of police services as unpaid volunteers, accompanying regular police on their patrol throughout the city.

And in Maryland, we are now planning for the introduction of the Police Corps. This federally supported program will be a sort of ROTC for the police in which a group of young people will receive help financing four years of college in return for serving as local police officers for a minimum of four years after graduation. Those people, particularly liberals, who have properly criticized police excesses and abuses now have the opportunity—indeed, the responsibility—to join the police for a defined period of time and improve its services through their own direct efforts.

The PTAdvantage

There are few questions on which there is more unanimity than parental involvement in the public schools. In his book *Politically Incorrect*, Christian Coalition Director Ralph Reed writes that the key to saving schools lies in "greater parental input into school board decisions on matters affecting their children.... [C]hildren ultimately belong to their parents, not the government." The same line could have been written by any number of liberals.

Even though most people believe parents should have more influence in public schools, few schools encourage it. A forthcoming book by David Matthews, former Secretary of Health, Education, and Welfare and current president of the Kettering Foundation, reports one father's response to the question, "Who owns the public schools?" The man wasn't altogether certain, he said. But he was sure it wasn't his community.

The question is no longer whether to involve parents, but how to institutionalize parental involvement so that their participation doesn't depend on the energy and efforts of a single principal or school commissioner. Schools have tried various methods, but perhaps the most effective has been to require a parent-teacher committee to oversee all functions of the school.

Barnaby Manor Elementary School in Prince Georges County, Maryland, has had such a committee for the past decade. Before Principal Sharon Quarles began the experiment, Barnaby Manor fit the common stereotype of a school serving an impoverished area. "The school was down in the pits," says one parent, Bernice Waller. "The teachers weren't teaching; the children weren't learning anything.... The kids were running the school."

Since 1985, Quarles has worked to reintegrate parents into the school's decision-making process. The linchpin of this effort is the school's management committee, which is staffed in equal parts by parents and teachers. All major issues facing the school are brought to the committee, and when parents or teachers have a problem they want addressed, there is a forum to do so.

In addition, the school invites parents to visit their children's classes whenever they wish and has parent-teacher assemblies to help parents prepare their children for the Maryland School Performance Assessment Program (MSPAP) test. Academically, the school has made great improvements: Its scores on the California Test of Basic Skills have gone up every year since 1985, and it has scored in the top 15 percent of Prince Georges County Schools on the MSPAP, far ahead of similar schools.

Another result has been a relationship between parents and teachers that is far stronger than those in average schools, public or private. "My daughter is in the third grade and is having problems with math, and I'm able to pick up the phone and call the teacher at home," says Brenda Minor. "It's terrific." The effect of the school's openness is to strengthen the sense of ownership and responsibility among parents. Consequently, parents are more willing to volunteer their time. Jan Stocklinski, the director of a Prince Georges County schools program to involve parents, says the increase in volunteerism has been astronomic. One father, whose son graduated from Barnaby Manor several years ago, still uses his annual vacation time to help out in the school's kindergarten classes.

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Schools that are open to parental involvement teach the lesson that schools succeed only when everyone in the community assumes a share of the responsibility. It is the same lesson that community policing teaches about public safety. Communities are most likely to succeed when people work alongside their neighbors and government toward public objectives.

Even the federal government can make its programs more open to citizen involvement. In 1994, for example, President Clinton instituted a little-noticed rule change to the Department of Housing and Urban Development's Empowerment Zone initiative. Before a neighborhood can even apply for empowerment zone benefits, there must be a community council comprising business and other community leaders. The logic is simple: Without a network of ties between residents, businesspeople, and government officials—without a legitimate community—no amount of public or private investment will make the kind of difference that the inner city needs. Empowerment zone councils have successfully drawn new businesses everywhere from Detroit to Atlanta. But even some communities rejected as empowerment zones have decided to maintain the councils.

The good news is that these initiatives show, as the Perot phenomenon did, that there is among Americans a yearning to participate. The challenge for government institutions is to find a way to capture and channel that yearning. As it is now, too many Americans consider government a remote and overwhelming force, wholly resistant to the public's will to change it.

There are several things we need to do to resurrect the notion of self-government. We need to make it easier for people to run for office, through campaign finance reform and also by challenging the perception that political participation always requires huge sums of money. We also need to make it easier for people who aren't politicians to lend their hands to the enterprises of government, through service in government agencies at the local, state, and federal level. Doing so, however, will require nothing less than reversing the course of the last 80 years.

During the Progressive Era, in the early years of the century, "Good Government" advocates began professionalizing all aspects of government in an effort to curtail government corruption. Government jobs were no longer given to supporters of the party in power, but to "experts" who set upon the problems of society with scientific method. This new class of technocrats, it was thought, could run government, schools, police departments, hospitals, and other public institutions better than the average citizen.

What the Progressives began, Johnson's Great Society completed. As the ranks of public policy experts grew, both at the federal and state level, Americans' connection to—and responsibility for—the workings of government grew ever more tenuous. The number of political appointees, the only government employees directly accountable to voters, has diminished to around one tenth of one percent. Meanwhile, the permanent bureaucracies have consolidated their power, guarding it jealously. "We systematically removed the institutions from public control," says David Smith of the Kettering Foundation, "in the name of progress, with the noblest intentions, but with some unexpected results."

One such result has been an unnatural bifurcation between working in politics and working in government; where the former was once the path to the latter, and the two were seen as integrally related, now campaigns are handled by consultants and others who have little interest in the real work of government itself. One way to change the situation is to increase the number of political appointees, and then encourage more campaign workers to become public servants by taking at least short-term jobs in government. Decreasing the number of career civil servants would also allow many other citizens to undertake at least short-term government work—say, two or five years. Then they would return to the private sector with an understanding of both how government works and how citizens can improve it.

The challenge now is to return to the original Jeffersonian ideal, in which everybody—not just the experts, not just the wealthy—can participate in government. For too long, Republicans have simply knocked national government and looked only to voluntary local solutions. For too long, Democrats have thought that the national government had to solve every problem on its own, meanwhile forgetting the need for local participation. But clearly we need both. If we really hope to restore a sense of the rewards of citizenship, we have to stop treating people like customers and start treating them like Americans. □

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Memo of the Month

MEMORANDUM

To: All House Full and Subcommittee Chairmen
From: Bob Walker and Jim Nussle
Subject: Request for Information - URGENT
Date: April 23, 1996

On behalf of the House Leadership, we have been asked to cull all committees for information that you already have on three subjects listed below. We are compiling information for packaging and presentation to the Leadership for determining the agenda. You are a tremendous source for this project. The subjects are:

- ☐ Waste, Fraud and Abuse in the Clinton Administration
- ☐ Influence of Washington Labor Union Bosses/Corruption
- ☐ Examples of Dishonesty or ethical lapses in the Clinton Administration

Please have your staff review pertinent GAO reports, Inspector General reports or committee investigative materials or newspaper articles for departments and agencies within your jurisdiction that expose anecdotes that amplify these areas.

Send your material to Ginni Thomas at H-226, U.S. Capitol or fax it to 6-1116. We need this information as soon as possible—no later than close of business on Friday, April 26.

cc: House Republican Leadership and committee staff directors

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Opportunity Lost

The Clintons hid the details of their health care reform plan; their opponents turned ignorance to their advantage. And a rare chance for major change was squandered

BY AMY WALDMAN

Christopher Lasch's obituary was written before the Health Security Act's was—he died in February 1994, the health care reform effort some six months later—so there's no knowing how he would have viewed the undertaking. But from his writing, notably the posthumously published *The Revolt of the Elites*, it's not hard to make an educated guess. Our have and have-not health care system epitomizes the "two-class society" he abhorred, in which "the favored few monopolize the advantages of money, education, and power." That monopoly of advantage threatens not just equality of opportunity, Lasch believed, but quality of life. In the case of health care, it can threaten life itself.

But it also seems likely that Lasch would have found the effort to reform the health care system equally disturbing. "Having effectively been excluded from public debate on the grounds of their incompetence," Lasch wrote in *The Revolt of the Elites*, Americans "have become almost as incompetent as their critics have always claimed." As several new books* show, the health care "debate"—the word seems overly generous given the quality of the exchange—affirmed his tautology.

To start, the Clintons deliberately obfuscated the details of their plan, keeping the discourse of the debate as vague as possible. Their opponents—whether Rush Limbaugh, the small business lobby, or GOP strategist Bill Kristol—saw the public's ignorance as a weapon, not a problem. And journalists did too little to fill the breach of understanding.

The result was a confused, then fearful, public. In March 1994, in one of the press's more enlightening moments, *The Wall Street Journal*'s Hilary Stout published a story headlined "Many Don't Realize It's the Clinton Plan They Like." Polls showed that most Americans opposed the Clinton bill; but a focus group indicated that may have been because they didn't understand it. "No one [in the focus group] expresses support for Mr. Clinton's sweeping proposal," Stout wrote. "In fact, no one can explain it." (Among their misimpressions: Under the Clinton plan, using a doctor other than the one you'd been assigned would land you in jail.) When asked to evaluate an unnamed plan with the Clinton plan's features, however, poll respondents—and the focus group—were over-

*The System: The American Way of Politics at the Breaking Point, *by Haynes Johnson and David S. Broder, Little, Brown and Company, $25.95;* Boomerang: Clinton's Health Security Effort and the Turn Against Government in U.S. Politics, *by Theda Skocpol, W.W. Norton & Company, $27.50;* War Without Bloodshed: The Art of Politics, *by Eleanor Clift and Tom Brazaitis, Scribner, $25.*

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whelmingly approving, even preferring it over rival proposals in Congress. There were few starker illustrations of the failure, by all sides, to educate the public or argue the issues on their merits.

Health care reform was one of the most ambitious legislative undertakings in the history of American government; its success could have bettered the lives of millions of Americans. And in an age of mass media and perpetual polling, public opinion was destined to play a major role.

Yet those conducting and reporting the debate deliberately ducked their responsibility to create an *informed* public—not just on the specifics, but on the broader issues (such as spiraling costs) and choices (such as how to finance the new system) that underlay reform. The result, of course, was not dramatic change, but the entrenchment of a flawed system.

The tragedy of failure was twofold: Quality, affordable health care is still out of reach for millions of Americans, and their numbers are growing. What's more, we damaged an already fragile democratic process—and thus our ability to confront serious societal ills. By combing through the wreckage of health care reform's ignominious end, perhaps we can avoid being condemned to repeat its mistakes.

Word Games

In retrospect, it might seem impossible for the Clintons to have succeeded in passing a sweeping health care reform package. They were seeking massive change in an industry that generates billions in annual income. Thousands of businesses had a life-and-death stake in the status quo. Meanwhile, trying to legislate reform in the rabidly partisan political environment of 1993 was something akin to dancing in quicksand. When the Clintons tried to compromise, their opponents grew coy. ("Every time I start in the middle, Bob Dole moves the middle to the right," Clinton lamented at one point.) The famous Bill Kristol memo—which instructed the GOP to oppose any reform proposal sight unseen—was proof of their disinterest in debating an honestly defined statement of the Clintons' facts and logic.

In researching their book *The System*, Haynes Johnson and David Broder had unequaled access to the charismatic, volatile, and ego-driven personalities who were driving the process. By promising not to publish until the debate was long past, they were able to elicit an honesty that day-to-day coverage could not. Among the revelations: Long before Clinton even launched his plan, Newt Gingrich was telling Broder and Johnson that he had no intention of letting any reform through. Behind the scenes, he bided his time, then stepped in to help organize the congressional-business coalition that would first defeat health care reform and then drive the Contract with America.

Events also conspired against Clinton with Job-like intensity: the public relations fiascoes of gays in the military and Whitewater; the bloody Somalia intervention; an unexpectedly protracted battle over his deficit-reduction plan. As a result, Johnson and Broder, and Theda Skocpol in her new book *Boomerang,* conclude that Clinton never should have attempted comprehensive reform with the aim of deficit reduction. Skocpol says he should have gone for an "Old Democrat" big-spending bill, so Americans would have felt like they were getting something besides a bunch of new regulations. And Broder and Johnson say Clinton should have gone "faster, smaller"—that is, opting for incremental change over comprehensive reform. Elected with only 43 percent of the vote, they say, his ambition exceeded his mandate.

Boomerang is cogent and informative. *The System*, with 600 pages of compelling detail and drama, is often riveting and usually insightful. But both books' overarching conclusions about where Clinton erred are off the mark. A budget-busting plan would have crashed and burned politically; as Skocpol herself notes, Clinton had to grapple with not only Reagan's fiscal legacy but also the public's worry that government couldn't live within its means.

Broder and Johnson, meanwhile, misunderstand why Clinton went for comprehensive reform in the first place: Not because (or not only because) of grandiose ambition, but because he understood that the interwoven nature of the American health care system made it impossible to pull one string without unraveling other parts of the tapestry.

The strengths and weaknesses of the American health care system are like parts of a puzzle. Although we arguably have the best health care in the world, it comes at great cost and with yawning gaps. We spend more than any other industrialized country on health care—approximately 14 percent of GNP—but 15 percent of the population has no

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insurance at all; many more, including the elderly, are severely undercovered.

Most of the insured are dependent on their employers for coverage, which leaves them vulnerable to the caprices of job security and employer beneficence. Many without insurance simply can't afford it. The country's 1,500 private insurers have created massive bureaucracies that absorb substantial amounts of the system's funds. Technological advances, such as magnetic resonance imaging, are prolonging lives but also swelling bills and premiums. Doctors' fears of medical malpractice suits and an excess of specialists—both leading to often unnecessary procedures—drive up costs still more. The army of uninsured, in turn, pushes up costs for everyone. Those without insurance tend to put off seeking care until they are sick as dogs, then surface in emergency rooms, with their ailments well-advanced—and therefore more costly to treat. Hospitals that are unwilling to turn away the uninsured shift the costs to other payers.

So "smaller" reform could easily have been counterproductive. An attempt to, say, expand Medicare to cover the uninsured could send costs for everybody farther into the stratosphere; if the government used its bargaining power to hold down payments, providers would shift the costs to private insurers. And "faster" was thus also impractical: Comprehensive reform would affect one seventh of the American economy; that's hardly something to rush through Congress.

The Clintons deserve credit for seeing clearly the pitfalls of incrementalism. They also understood the requisite principles that would have to guide comprehensive reform: a standardized benefits package that would be available regardless of preexisting conditions or employment; universal coverage; pooling the risk of all individuals to distribute the financial burden; standardizing payment forms to reduce bureaucracy; and finally, a built-in mechanism to ensure cost control. Their mistake was not in what they chose to do—but in how they chose to do it.

To meet their goals, the Clintons had several options. Early on, they rejected "single payer," which would establish the government as the only payer to doctors and hospitals. Under this scheme, the government would negotiate overall "global" budgets with providers, but then leave them discretion within those budgets. It would most likely be funded by some kind of sales tax, which would end employees' dependence on employers for insurance, and the burden that insurance places on employers. Cutting out the middlemen—the private insurers—would substantially reduce administrative costs; neutral experts, such as the Congressional Budget Office, estimated significant savings over time. It would also preserve doctor choice. It could, however, mean longer waits for nonemergency care, and some rationing of expensive procedures. And—for good or ill—it would put private health insurers out of business.

In 1991, Theodore Marmor, a Yale professor and single-payer proponent, was called upon to debate the merits of single payer in front of then-candidate Clinton. Marmor's debating opponent was advocating pay-or-play, a market-based option that was eventually abandoned by the Clintons. At the end, as Marmor wrote in the *Monthly* in 1994, Clinton turned to him and said "Ted, you win the argument." But then he quickly turned to Marmor's opponent and said, "But we're going to do what he says." As Marmor wrote, "Even considering [single payer], everyone in the room agreed, would prompt GOP cries of 'socialized medicine'—cries that the press would faithfully report." And so with no public debate, Bill Clinton ruled single payer out. Little did he know that the anti-government attacks he feared on single payer would dog his plan, too.

Whether failing to adopt single payer was a mistake is debatable—as Clinton rightly pointed out, the policy arguments were in its favor, but the political ones seemed against it. What's certain, though, is that the refusal to debate the options publicly was a missed opportunity to educate the American people about the choices that would have to be made to enact comprehensive reform.

This is what Lasch passionately advocated: Use explanation and discussion—the presentation of arguments for and against something—to develop a public understanding of the choices necessary to govern. Had that been done—in speeches, town meetings, congressional hearings, the press—the public would have been educated about the principles behind reform. Principle number one: Lower costs and wider coverage would have some social cost in the short term, most likely new taxes of some sort, and limitations on either choice of providers or the availability of expensive care.

Instead, the Clintons chose a reform path privately and shaped it privately. Not only was input from the public not sought, but advice from knowl-

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edgeable potential allies in Congress or the industries facing reform was ignored. Representative Fred Grandy, a moderate Iowa Republican supportive of reform, told Johnson and Broder, "Anything you would suggest, [project staff director Ira Magaziner] essentially never said no. I mean, he gave a great meeting. And then right behind him was the First Lady ... But of course, once the details came out, we realized that while they had no problem collecting our input, they never intended to use it."

These books suggest this was largely attributable to pure hubris, particularly on the part of Hillary Clinton and "the brilliant but politically challenged" Ira Magaziner, as Eleanor Clift and Tom Brazaitis describe him in their new book, *War Without Bloodshed*. It was, Broder and Johnson argue convincingly, the "best and the brightest"—the elite arrogance that helped mire us in Vietnam—all over again.

"I'm left with ... real pessimism," one doctor said, "about how America will ever have the maturity to address complex issues of public policy."

The plan that emerged reflected the brains behind it: Every byway of the system had been thought through, every potential policy objection anticipated. The Clintons opted for managed competition, which would rely on the market—with some government intervention—to control costs. Most importantly, the plan would offer standardized benefits and universal coverage. It would rely heavily on managed care, thus somewhat limiting patient choice of doctors and hospitals. To bargain for more affordable coverage, it would create regional purchasing alliances to pool individuals and small-to-medium sized employers; alliance members would "shop" from plans offered by a few large insurers and a network of providers. Small and medium-sized insurers would be eliminated. Limits on premiums would be the essential cost control mechanism. The system would be financed by mandating that all employers, large and small, purchase insurance for their employees.

The plan's thoroughness made Clinton's September 1993 launch speech all the more disappointing. If Clinton were being graded, he would have gotten an "A" for rhetoric and delivery—and an "F" for exposition. While he dramatically brandished his symbolic "health security" card, he made no effort to explain why the task force had made the choices it did. He barely made mention of employer mandates, which were the key to funding the plan. He referred not at all to the regional alliances.

The alliances, as Skocpol notes, had no precedent in American public life, no model to which policymakers could point. Here's how the Congressional Budget Office explained them: "regional alliances—as the front-line agencies responsible for orchestrating the flow of funds through the health care system—would ... combine the functions of purchasing agents, contract negotiators, welfare agencies, financial intermediaries, collectors of premiums, developers and managers of information systems and coordinators of the flow of information and money between themselves and other alliances." That may have been crystal clear to Magaziner, but it would need a lot of explaining before Americans were comfortable with it.

"Voters want more details about the plan," Clinton pollster Stan Greenberg wrote after Clinton's launching speech. But few details were forthcoming. Both Clintons had an unsurpassingly thorough grasp of the nuts and bolts, and the gift to explain them. But they made the critical—and wrong—decision that there was more risk than reward in getting specific. Even worse, they turned the marketing of the plan over to political consultants who had been brilliant in a win-at-any-cost political campaign, but had little head for the consensus and compromise required to govern in Washington.

Hillary Clinton, in turn, seemed to think she could master public opinion by maintaining semantic control of the debate. Pollsters warned against the word "tax," so she avoided it—even though, to the untrained ear, mandating premium payments from employers sounds a lot like a tax. Similarly, she was told "price controls" wouldn't fly politically, so she denied they were in the plan. (There were "premium controls.")

Broder and Johnson describe one encounter between Hillary Clinton and a powerful CEO who questioned her euphemisms: "You've said that these regional alliances that you're thinking about aren't regulatory bodies," the CEO said. "[T]hey sound like regulatory agencies to me." Hillary slammed the table, according to one observer, and "'with daggers coming out of her eyes," said, "'I said they were purchasing cooperatives, and that's

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what they're going to be!'"

Particularly damaging was the Clintons' failure to make the practical case for universal coverage—that it was essential for cost control. Universal coverage was portrayed as the right thing to do, but never as the *smart* thing to do. Hillary Clinton viewed universal coverage through a prism that was part ambition—"Our place in history is contingent on universal coverage," she said—and part moral crusade. It was on the latter grounds that she made her case to the public, despite repeated warnings from allies. "Cost control is the reform Americans most need, want, and are willing to pay for," Senator Jay Rockefeller wrote in an early memo to the Clintons. "Fear, much more than compassion, drives support for universal guarantees of coverage." The statement that "Americans deserve or have a right to health care is a dead-end approach." The Clintons mistakenly assumed that Americans shared their altruism. Their opponents understood that Americans had little interest in opening another front in the War on Poverty.

If the Clintons overestimated Americans' compassion, they underestimated their understanding of basic economics—that you don't get something for nothing. Public opinion polls showed that Americans were willing to consider higher taxes or support employer mandates; in other words, they understood reform would have some social cost. Yet the Clintons tried to pretend there would be no such cost. And they avoided discussing the employer mandates. Americans were understandably suspicious. How could a plan expand coverage, lower costs, improve the quality of care, and reduce the deficit, as the Clintons asserted, without some cost?

It wasn't only people in the heartland who were suspicious. So was Daniel Patrick Moynihan, the chair of the Senate Finance Committee, where any bill would have to pass muster before reaching the floor. Moynihan's enthusiasm for health care reform had been tepid from the start, and his distaste for the Clintons developed early. Still, the First Couple embarked on an elaborate courtship of Moynihan and his wife Liz—the ladies lunched; there were movie nights at the White House and daily phone calls from Bill to Pat. To no avail: Moynihan never got on board. The senator was one part prima donna, one part professor, and one part Machiavelli—a combination Clift and Brazaitis capture superbly.

Moynihan was frustrating to the Clintons—never more so than when he parroted the Bill Kristol "there is no health care crisis" line on national television—but on some things, he was also right. From the start, he warned the Clintons they needed bipartisan support. They pooh-poohed him, thinking that public support for reform was so strong they could ram their plan through Congress. Moynihan also understood, as the Clintons did not, that employer mandates would arouse fierce opposition from small businesses, which were convinced that mandates would either cut into their profits or drive them out of business. Therefore, any plan calling for employer mandates would have a hard time getting out of his committee—unless the Clintons specifically rallied public support for the financing mechanism they had settled on.

The chief opponent of employer mandates was the National Federation of Independent Business, which claimed to represent 600,000 small businesses across the country. The NFIB is the classic example of the "crypto-political parties" that Broder and Johnson say now control the system. They wage issue-based campaigns similar to political campaigns, but on behalf of much narrower economic interests. Legislators increasingly owe them more fealty than they do their own political parties. Their real power, as the health care debate demonstrated, lies in their capacity to mobilize large blocs of votes, and they understood early that the battle over health care reform would be won or lost outside the Beltway. As one Republican pollster says in *War Without Bloodshed*, "Members of Congress are driven by public opinion, and if public opinion becomes unsustainable they change. There are no profiles in courage."

Rather than chance reform it didn't like, the small business lobby preferred to kill it altogether. Small and medium-sized insurers who faced extinction under the plan joined the NFIB in turning the public against the plan, as did ideologues and Republican strategists who knew defeating health care reform could mean winning Congress. They used the media, including the notorious "Harry and Louise" ads, to raise questions that dovetailed perfectly with the absence of accurate information about the plan. (One gauge of the ads' effectiveness: Democratic operatives pressured the actress who played Louise to come out publicly for the Clinton plan; when she balked, there were unpleasant insinuations about her future in Hollywood.)

When the attacks came, the Clintons were hog-

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tied by their verbal serpentining and some Faustian policy choices. Any attack on government "bureaucracy," for example, could have been rebuffed by pointing out the much more expensive bureaucracy of private insurers—but the Clintons needed the support of large private insurers for managed competition. Without such wells of explanation to draw from, when powerful constituents and public opinion turned against the plan, it was dead. "I'm left with an emotion of real pessimism," one doctor said to Johnson and Broder after the failure of reform, "about how America will ever have the maturity to address complex issues of public policy."

Playing it Safe

That pessimism is certainly warranted, but it's not necessarily insurmountable. Leaders—including the Clintons—need to have more faith in the public's ability to process information. And the press needs to do a better job of providing that information. Both *The System* and *Boomerang* criticize the press, as the *Monthly* often has, for poorly explaining the various options to the public and for covering the horse race at the expense of the issues at stake. The press failed to debunk misinformation put out by opponents of the various plans, and it treated interest group opposition as the real substance.

The New York Times's Robert Pear, for example, would quote representatives of the Health Insurance Association of America as an authority on why premium controls wouldn't work—without explaining what the HIAA had at stake in the fight. And while the Clintons pretended reform would have no cost, much of the press coverage sent the message that *any* cost would be too much. ("Emerging Plan is Still Costly, Still Complex" read one *Times* headline. What major reform *wouldn't* be complex and costly?)

Unfortunately, both Skocpol and Johnson and Broder—having produced two authoritative works on this debacle—themselves fail to explain certain crucial facts. Skocpol, for example, doesn't explain alliances—although she repeatedly refers to them—until more than two thirds of the way through her book. *The System* discusses the controversy surrounding Elizabeth McCaughey's influential "No Exit" piece in *The New Republic,* which delivered a scathing and, as it turned out, largely inaccurate critique of the Clinton plan. But Broder and Johnson avoid saying where she was right and wrong about the facts of the plan, let alone her analysis of its weaknesses. Only many pages later is there an oblique reference to her "mendacity."

Like the President, the press needs to learn how to educate the public on public policy issues. And that includes the abiding need for comprehensive health care reform. To say that we should seek small change because attempts at something grander failed once is to resign ourselves to all the inequities and injustices of the status quo.

Approximately 39 million people will be without insurance in 1996, according to a recent Urban Institute report. More than 3 million more will also lose their insurance at least temporarily. Health care costs in 1995 consumed approximately 14.5 percent of GNP, and cost increases continue to outpace those of personal incomes.

The market, in the form of managed care, is helping to control costs somewhat. But it's doing so partly by tying doctors' hands in making decisions about care, and by limiting Americans' choice of providers—specters, ironically, that were raised to derail the Clinton plan. And the savings won't necessarily be passed on to patients—or "consumers," as they're now called; they more likely will increase profit margins for the corporations now dominating the health care market, and the salaries of their executives.

Indeed, health insecurity is high enough that Senators Kennedy and Kassebaum are on the verge of passing a bill that would allow those who change jobs to retain health insurance, even with preexisting conditions. Their bill exemplifies the kind of incrementalism that observers now say the Clintons should have attempted.

The bill has its merits—primarily health security for those without job security. But in the long run, it's likely to do more harm than good. It does nothing to control costs or increase access to insurance, nor is it a first step on the path to do so. The result, most likely, will be higher insurance premiums across the board. And even if people with preexisting conditions can no longer be denied insurance, it can still be priced so high that they won't be able to afford it. Nor is there any mechanism to stop employers from continuing to shift more people to part-time, temporary, or contract work that doesn't offer insurance; Kennedy-Kassebaum could even accelerate that trend. The lesson? Incrementalism may be safer, but it's not necessarily smarter. □

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Reconcilable Differences?

The affirmative action debate needs less preaching to the converted and more willingness to engage the other side

BY PAUL BARRETT

Ending Affirmative Action: The Case for Colorblind Justice
Terry Eastland, *Basic Books, $23*

In Defense of Affirmative Action
Barbara R. Bergmann, *Basic Books, $23*

These slender volumes deliver what they advertise: lively polemics for and against affirmative action. You have heard the basic arguments before, most likely, but the authors go a step or two further than the conventional newspaper op-ed pieces. Terry Eastland, a conservative journalist and think-tanker, provides a little more history, some of it enlightening, some cockeyed. Liberal economist Barbara R. Bergmann offers a few more numbers and studies that fall in much the same categories.

Neither author seems interested in presenting a balanced picture, so standing alone, neither book will persuade the skeptic who suspects there is both good and bad in affirmative action. As a two-person act, however, Eastland and Bergmann could probably get a pretty provocative debate going. In fact, Basic Books, publisher of both works, might have saved trees and reader expense by binding the books into one text arranged in point-counterpoint chapters.

Eastland, who served in the Reagan Justice Department and wrote an earlier anti-affirmative action book with GOP ideologist William Bennett, has honed his arrows for years. Many hit their target. For example, he asks reasonably enough whether we need to give a leg up in public contracting to highly skilled immigrants—say, computer programmers recently arrived from India or Pakistan. How about when their kids apply to state schools? Eastland shows that policies originally justified as remedies for past discrimination have become twisted to benefit people whose race-related difficulties, if any, occurred far from American shores.

Even if you're a gung-ho integrationist, Eastland argues, you have to feel a little uncomfortable about the University of Texas Law School setting up an entirely separate admissions track, complete with lower academic standards, for its black and Hispanic applicants. Doesn't that go beyond using race as a "plus" factor, or one among many variables, as the Supreme Court said it would tolerate in the 1978 *University of California vs. Bakke* decision? The U.S. Court of Appeals for the Fifth Circuit recently said it did in a ruling that struck down the UT Law School admissions procedure. The conservative activists on that appeals court then went a big step further and suggested that *Bakke* itself should be tossed out in a drive to rid higher education of racial preferences.

Eastland contends that affirmative action inevitably produces injustice, even when it helps the African-Americans to whom the country still arguably owes some form of recompense and special protection. The real victims these days, Eastland maintains, are the white guys who get pushed down the police department promotion ladder, lose the municipal paving contract, or receive the

Paul Barrett is a reporter for The Wall Street Journal.

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law school rejection letter—all because of favoritism to minorities or women. If minority students disappear from UT Law School, as many will without getting a break on grades and test scores, they can go to less prestigious schools in the state, Eastland reasons. There, he predicts, they'll thrive, free of the taint of having gotten ahead because of their skin color. Perhaps. But it would be awfully eerie if institutions like the University of Texas Law School were resegregated. Eastland doesn't seem troubled enough by that prospect to grapple with the possibility that affirmative action could be fine-tuned and used in moderation.

His certainty that all affirmative action must end stems from his view of American history. He discerns in the political theory of the Founding Fathers a "colorblind" ideal that has been passed down through the generations, only to be violated in the past three decades by liberal race policies. Oh, yes, and of course there was that nastiness with slavery. And, oops, don't forget the Southern backlash after Reconstruction, and the Jim Crow regime that persisted into the 1960s.

By assuming, however implausibly, that colorblindness has been the American creed, and by identifying himself as a loyal adherent, Eastland finds it easy to be intolerant of those who would compromise this ideal. The silliness of this conceit is all the more disappointing because Eastland is quite capable of recounting historical developments in a clear and interesting way. His section in this book on the evolution of affirmative action is evidence of that. In particular, his explanation of the critical role played by Richard Nixon and his aides will no doubt be a revelation to many readers.

Bergmann, although she calls her book a defense, is stronger when she's on the attack. She dispels the increasingly common assumption that workplace discrimination has been beaten. Her evidence generally comes in small, digestible bites, like the results from "testing" projects in which researchers send out pairs of college students posing as competing job applicants for a single slot. The testers are identical except for race. Guess who tends to get the job? (Hint: not the black guy.)

But some of the survey material Bergmann presents has the mushy feel of partisan political polling: If you ask the questions the right way, you'll often get what you're looking for.

White male self-pity irritates Bergmann, and she raises legitimate questions about whether we've lost our sense of perspective. She points to a Supreme Court case in which Justice Antonin Scalia fulminated in dissent over a county affirmative action plan that resulted in a woman getting put ahead for a skilled road-maintenance job. "Designed to establish a color-blind and gender-blind workplace," the federal civil rights law has "been converted into a powerful engine of racism and sexism," Scalia wrote. Given that no woman had previously ever held one of the 238 road-maintenance spots, promoting a woman who scored a couple of points lower than a male competitor on a qualifying test of dubious precision hardly seems outrageous.

Except to that man, of course. For him, Bergmann's answer is: Too bad; life is unfair. "We frequently do harm to innocent individuals for the purpose of achieving some goal," she writes. Companies, even humane ones, lay off workers to improve the bottom line and promote the interests of shareholders. Many liberals bemoan downsizing; too few are as candid as Bergmann when she describes the costs of affirmative action. In the same spirit, she acknowledges that, contrary to what most civil rights leaders will have you believe, hiring "goals" are indeed akin to quotas.

Bergmann comes up short, however, in discussing how affirmative action can be made to work well. She notes that big business has adjusted to hiring and promotion goals and shows no sign of dropping them, even in the face of conservative assaults. But she doesn't bother to discuss the emotionally draining resentment and frustration these policies have generated. Likewise, she defends affirmative action in college admissions and portrays the campus as a paragon of integration. A professor at American University, she must not be looking too closely. One of the most striking things about college campuses these days is the dramatic separation of white and black students when they're not in class.

The idea of forcing these two authors to produce a joint work really would have made sense. If they had to answer each other's arguments, rather than preach to the converted, they would have written something far more satisfying. □

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Raging Pol

The passions that drove an old-time Democrat to legislative mastery

BY HAROLD MEYERSON

A Rage for Justice: The Passion and Politics of Phillip Burton
John Jacobs, *University of California Press, $34.95*

The era of big government may or may not actually be over, but during the past year alone, Keynesian liberalism has certainly become the stuff of histories. Three notable, often brilliant accounts of postwar liberalism appeared in 1995. Two—Nelson Lichtenstein's biography of Walter Reuther and Kevin Boyle's *The UAW and The Heyday of American Liberalism, 1945-1968*—deal with the United Auto Workers, the anchor tenant in the house of '40s, '50s and '60s liberalism. The third, John Jacobs's marvelous biography of San Francisco Congressman Phillip Burton, is both a riveting and scholarly account of liberalism's fiercest and most able proponent on Capitol Hill during the late '60s and '70s.

Like Lyndon Johnson, Burton was above all a virtuoso at legislating—to the invariable benefit, in his case, of working people, the poor, and the environment. As Jacobs documents, Burton was a major force behind the enactment of OSHA, SSI, mine safety laws, and a vast enlargement of the national park system. Just as important, it was Burton more than anyone who transformed Congress from a semi-feudal network of unaccountable committee chairmen to a body where party caucuses actually could control the general direction of legislation.

And as with any history of Johnson's career, Jacobs's recounting of Burton dwells lovingly (and necessarily) on legislative machinations. Rube Goldberg had nothing on Burton when it came to cobbling together vast improbable machines. Burton consistently traded votes with conservative Southern members who wanted agricultural subsidies in return for their support of his agenda; he maintained a bloc of supporters whose votes could be moved around when the occasion demanded. (He once boasted he could get "110 votes to have dog shit declared the national food.")

Burton bills were exquisite political constructions. "Is there any state other than Kansas that did not end up with a park?" Bob Dole complained about one of Burton's masterpieces. Once, while talking with one of his protégés, California Congressman George Miller, Burton allowed that he regarded the GGNRA—the Golden Gate National Recreation Area—as "a thing of beauty." Miller responded that the park had many lovely features. "Not the place," said Burton, appalled. "The bill."

Jacobs's biography is particularly instructive in light of Newt Gingrich's ascent. Like Gingrich, Burton was no centrist; and like Gingrich, he was nonetheless able to build a cadre of congressmen committed to moving his agenda. Using the resources of the Democratic Study Group and the assets of a number of progressive unions, Burton cultivated congressional candidates across the country, and when he ran for Majority Leader in 1976, he received the support of 90 percent of Democratic freshmen. The Burtonistas had the clout to change the rules governing the selection of committee chairmen, but they came up literally one vote short in Burton's bid for the leadership position.

The same passions that fueled Burton's ascent

Harold Meyerson is the executive editor of LA Weekly.

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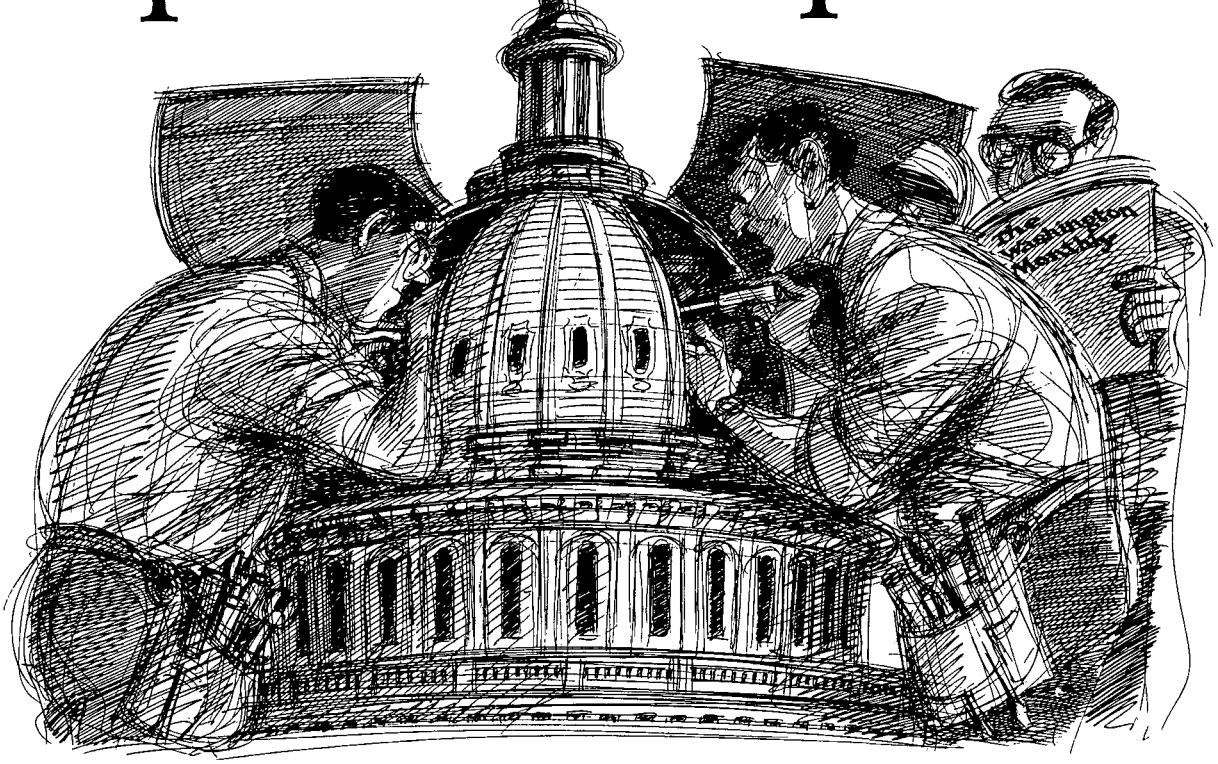

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"... holds up a deadly accurate mirror to the Washington political culture, exposing its hypocrisies, stupidities, and unexpected triumphs." —*Chicago Tribune*

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ultimately undermined it. Burton was frequently all rage, spurred by his hatred of wealth and privilege to work harder and become more expert than his colleagues on all matters legislative. But the rage wasn't easily channeled, and as Jacobs tells it, one disastrous evening in 1972 it flashed out at Tip O'Neill, whom a drunken Burton challenged to a brawl in the middle of the Beverly Hills Hotel. The outburst convinced the future Speaker that Burton couldn't be trusted with a visible leadership position. Four years later, O'Neill's behind-the-scenes work against Burton's candidacy was a major factor in blocking Burton's rise. Burton continued with a famously productive career after his defeat, but the loss plainly gnawed at him. His Olympian bad habits —the drinking and other forms of voracious consumption—grew worse, and he died of a ruptured artery in 1982, at age 56.

Burton and O'Neill: A star-crossed relationship

Clearly, Jacobs has no aspirations to play a psycho-historian in this volume, but he's been obliged to plumb the sources of Burton's rage, which he reasonably locates in Burton's anger at his largely absent father. At the conclusion of his successful battle to create a large-scale Redwood National Park, Burton was asked by one environmental activist why he had fought so hard for the legislation—after all, Burton was notoriously allergic to anything outdoors. Uncharacteristically, he summoned up one of the few moments of his childhood when all of his family had been together: "Once when I was a kid, my parents took me to see the redwoods," Burton said. "I've never forgotten that." In a book mercifully devoid of psychological speculation, this scene stands out as the Rosebud moment.

Burton's protégés include many of the most effective liberals in American politics—most notably, former California Assembly Speaker and now San Francisco Mayor Willie Brown Jr., and Los Angeles Congressman Henry Waxman. Jacobs offers a wonderful account of Burton's cultivation of up-and-coming liberals in the Young Democrats and the California club movement of the '50s and early '60s. It is a measure of the crisis of American liberalism that while Burton left behind him an impressive array of individual politicos, the organizations where he nurtured them have all but vanished.

Burton also was an emblematic figure in the redefinition of the Democrats' core constituencies. When he first rose to power as an Assemblyman in the San Francisco of the '50s, he had a largely white working class constituency. A pioneering crusader for black, Asian, and gay rights, Burton saw his base, and that of his party, transformed over the next quarter century; he himself played no small role in transforming it. At one point in the early '80s, he welcomed *Boston Globe* writer Martin Nolan to his San Francisco office, noting, "You're the first straight, white male to walk into this office in months." Two years after Burton's death, Jeanne Kirkpatrick coined the phrase "San Francisco Democrats" as a code-word to describe how the party had estranged itself from Middle America.

But while Burton worked feverishly to bring new groups into the Democrats' orbit, it's hard to find anyone in American public life who also delivered more for angry white men. It was Burton who won major changes in safety regulations in the mines, and it was Burton who came up with unprecedented job-and-income security provisions for loggers whose livelihoods were threatened by the expansion of the Redwood National Park. Burton's was a liberalism of class as well as race, of the '30s as well as of the '60s. In the downsizing '90s, the Democrats need his spirit as much as they do his smarts. □

Dev O'Neill; reprinted in *A Rage for Justice*

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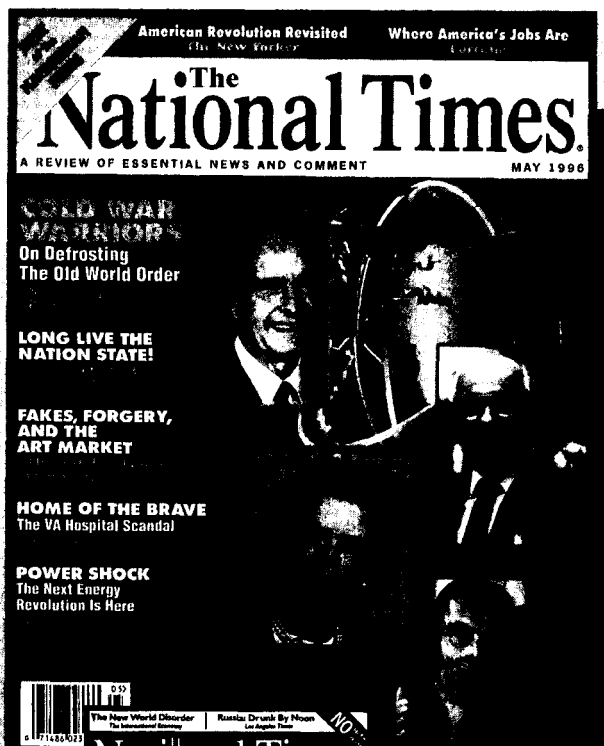

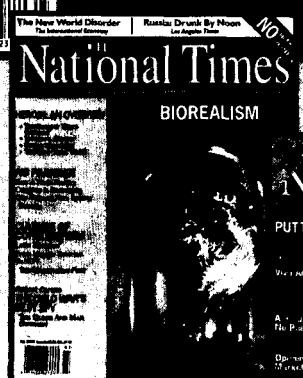

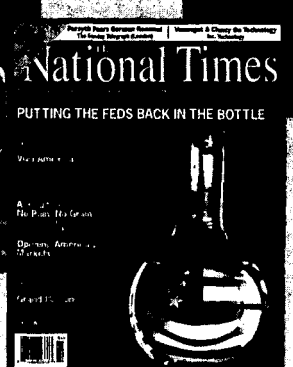

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Political Booknotes

Showdown: The Struggle Between the Gingrich Congress and the Clinton White House
by Elizabeth Drew
Simon and Schuster , $25
By Christopher Georges

Attacking Elizabeth Drew for drowning us in irrelevant political details about an arcane process is far too easy. But that shouldn't stop anyone.

In *Showdown,* Drew takes us through the internal maneuvering of the budget wonks on the Hill and in the White House during the 1994-'95 budget battle. This weighty event is replete with moments (in fact, days, even weeks) of tedium. Drew spares us none of them. We witness, for example, the internal debate among House Republicans over the rewriting of sections of an appropriations rescissions bill. One memorable paragraph begins, "In the subcommittee meetings...." It reads like a full-text printout of a Nexis search for "Budget and Congress."

Only occasionally is the drama of the events thick enough to support Drew's tick-tock coverage. The Senate cliffhanger vote on the Balanced Budget Amendment is one. Drew supplements what was detailed daily press coverage with some choice bits, like Utah Senator Orren Hatch, a key amendment supporter, sending teleminister Robert Schuller to visit Oregon Senator Mark Hatfield before the vote to convince him to switch his vote to "aye." (He didn't.)

That said, Drew's points, both large and small, are on target: The budget battle was less about balancing the books than an excuse for hacking at the size and scope of federal government; the GOP made a political goof by trying to push through most of their budget reforms in one do-or-die bill; Republicans didn't have the foresight to plan an effective counter-strategy in the event of a Clinton veto; and so on. And Drew's political judgments are keen. Her up close observations bring to light the haphazard nature of the way both the policy and the politics of the budget were assembled. For example, she shows how Clinton caught even his own White House advisors off-guard when he blurted out in a New Hampshire radio interview that he would offer a 10-year balanced budget plan of his own.

It's also true that Drew, to her credit, doesn't overreach. Political analysts can't seem to resist linking congressional and presidential debacles to grander points about the failure of the System. (Occasionally, they're right.) Drew sticks to the nuts and bolts. The fact that Republicans didn't enact their balanced budget has less to do with James Madison than with Bill Clinton and Newt Gingrich.

Drew zeroes in on the GOP's Medicare plan as their undoing. The Democrats cashed in big by focusing attention on the fact that Republicans wanted to cut Medicare spending and cut taxes by nearly the same amount. Indeed, the Democrats had a good point. The Republicans' first set of proposed Medicare cuts were unnecessarily steep—$270 billion over seven years. Later, after Democrats pounded them on the link between the size of the Medicare cuts and the tax cuts, they offered more reasonable numbers.

Now, both the Medicare plan and large tax cuts are just about dead for the rest of this year. But the GOP is only beginning to absorb the negative political fallout from their effort to overhaul Medicare. Though Drew's story ends with the failure of the budget bill, her reporting on Medicare goes a long way toward helping explain the nasty election-year Medicare battle now taking shape. In short, Democrats are poised to a score a huge political victory but largely by distorting the facts. Will that approach come back to haunt them?

Both Republicans and Democrats are well aware that Medicare is scheduled to go broke in about 2001. And both know that the sooner Congress and the President agree on a fix, the easier it will be to avoid insolvency.

For a short period last winter, it appeared as though both sides were coming to their senses. As part of the bipartisan budget talks at the White House, both put on the table sweeping reform plans that would keep Medicare solvent until about 2010. Although the plans contained a number of key differences, they were in striking distance. Both pushed for increased use of managed care; both sought most of their savings through reduced payments to providers. Republicans wanted cuts of $168 billion over the next seven years; the White House would cut about $124 billion—not an unbridgeable gap.

That's the policy reality. But you'd never know it listening to the Democrats these days. Their message heading into the campaign is that Republicans are attempting to destroy Medicare. They blithely ignore that the President's plan is roughly parallel. To spread the word, they're getting millions of dollars worth of help from outside groups such as the AFL-CIO and the National Council of Senior Citizens. "Republicans have declared war on senior citizens," says Patrick Burns of the National Council of Senior Citizens. "We're going to be the Marine Corps—the suicide jumpers—of the debate to get that message out."

The strategy is working. Recent polls show that President Clinton scores his highest approval ratings on the issue, while Republicans score their lowest. In fact, Democrats plan to step up the attack. In coming months, they'll unleash a series of ads featuring Speaker Gingrich saying, "We believe it's going to wither on the vine." The ads assert

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that Gingrich is referring to Medicare. Republicans are crying foul, saying Gingrich was referring to the size of the bureaucracy that runs Medicare, not the program itself. A transcript of the somewhat rambling speech shows it's unclear to what Gingrich was referring.

Republicans, on the other hand, are taking quite a different approach to Medicare as a campaign issue. They're telling the truth—or at least as near as one could expect in the current political climate. Certainly they'll be telling their share of whoppers on any number of issues this fall, but at least on Medicare their current approach is to take their plan, cuts and all, to the constituents and try to explain it. "We're addressing it head on," says Indiana Rep. David McIntosh, a conservative Republican. "The candidates who don't educate their constituents are going to get beat on it."

It's a risky approach. They'll be telling seniors that they want to "preserve and protect" the program but that they'll spend less than they otherwise would have. Will it work? "We have to do a tremendous selling job," concedes GOP Rep. George Radanovich. But in many ways, Republicans have no choice. If they switch their position now, Democrats will savage them not only for their original proposal, but for flip-flopping as well.

So Democrats are playing politics in a political campaign. Hardly a news flash. Republicans have their own campaign demagogueries, such as calling the tax increases in Clinton's 1993 deficit reduction bill "the largest tax hike in the history of the world." But it's worth suspending cynicism (briefly) to suggest that in the case of Medicare, the price may actually be too steep. Medicare really is going broke. And the program really will need to be fixed. Voters are more likely to accept sweeping changes in a program as popular as Medicare if the political groundwork is laid beforehand. Democrats apparently aren't game. When Congress has to pass another quick fix three years from now, at least we'll know why.

Christopher Georges is a reporter at The Wall Street Journal *and a* Monthly *contributing editor.*

The Time Before History: Five Million Years of Human Impact

Colin Tudge

Scribner, $27.50

By Gregg Easterbrook

The notion that the Egyptians and Greeks were ancient, writes Colin Tudge in this inviting new book, "was applied by 18th century historians who thought that the world itself was new and that the people they called ancient had lived near its beginning." Current research places, instead, the age of the Earth at around four billion years, the phase of mammal life at around 600 million years and counting, the period of human forebears at somewhere around three to five million years, and the period of "civilization"—agriculture and towns—at perhaps 10,000 years. Understanding the true human influence on the Earth won't be possible, Tudge believes, until we begin to grasp the extended time-scale of existence.

The Time Before History attempts to do just that, with mixed results. Tudge, an able British science writer, sets an impossible goal when he declares, "I want to tell the true history of human beings from the beginning." No one has more than an educated guess about the true history of humankind, and it's not clear if anyone ever will, as all information predating the Egyptian and Sumerian writing systems is inferential. The regularity with which "knowledge" about human antecedents is overturned—seemingly on an annual basis, some widely accepted premise about the far human past gets voided by a new scientific finding—forecloses much beyond speculation. Still, Tudge has written a valuable work that offers a long-term perspective generally missing from debates about the environment or the course of society.

The Time Before History has its predictable elements, including too much on Charles Darwin. British writers just can't seem to get enough of Darwin, perhaps because of his role in shaking the foundations of the English establishment. But the book offers a number of original ideas and engaging segments on, for instance, why farming societies inevitably triumph over hunter groups (the ranchers didn't just beat the cowboys in the West, says Tudge—it's been happening throughout history); or how the vast floods that probably accompanied the close of the last ice age may have influenced the beginnings of organized culture, to say nothing of the book of Genesis. And it's great fun to read Tudge squirming around the question of whether present-day human beings are "superior" to their forebears.

Gregg Easterbrook is the author of A Moment on the Earth, *which has just been published in paperback.*

Challenging the Secret Government: The Post-Watergate Investigations of the CIA and the FBI

Kathryn Olmsted

University of North Carolina Press, $29.95

By David Corn

About a year ago at a tony Washington party, I joined a conversation with Anthony Lake, the national security adviser to President Clinton. At the time, the CIA was yet again mired in public controversy. It had been disclosed that a Guatemalan military thug—implicated in the murders of an American hotelier and a rebel leader married to an American—had been on the agency payroll. There were the usual calls for congressional investigation and institutional reform, and renewed questions about the role of the post-Cold War intelligence community. Naturally, the talk at the party turned to this Guatemalan business. What would the White House do about the CIA in response to the latest scandal? Lake was asked. "We don't have a dog in this fight," he replied.

To Lake, the current controversy was mostly a cat-and-dog scuffle between the CIA and the State Department. But his comment was an astonishing recognition of the President's unwillingness to take full responsibility for the CIA—

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which does, theoretically at least, exist to serve him. No serious effort would be made by the White House to rethink or remake the CIA in these post-Soviet days.

That's par for the course. True reform of the cloak-and-dagger community—that is, reform predicated on a serious evaluation of the necessity (if any) for Constitution-defying instruments such as the CIA and its acronymic brethren—has proven to be the most elusive of goals in Washington.

A recent spate of reports advertise themselves as blueprints for intelligence reform, but they are mostly guides for tinkering. The Council on Foreign Relations, the Republicans of the House Intelligence Committee, and a presidential commission established by Clinton in the wake of various scandals (among them the Ames travesty) each have coughed up so-called programs for change. But, as former CIA analyst Melvin Goodman notes, "major problems received little scrutiny from these studies and major questions went unanswered. For example, what is the proper role for espionage and covert action in the post-Cold War era? What is a proper expenditure for intelligence? ... Which intelligence programs are making a difference in addressing national security threats and which programs can be reduced or abandoned?"

These paper-tiger reports fit nicely into the long, ignoble history of intelligence reform, as we are reminded by Kathryn Olmsted in her well-researched study, *Challenging the Secret Government*. Olmsted, a lecturer at the University of California at Davis, takes us back to the mid-1970s, when the spooks were on the run. The Vietnam War had produced a crop of CIA horror stories, and the CIA connections of the Watergate burglars had directed more unwanted attention toward the spy service. Then came a series of disclosures: the CIA had meddled in Chile, and it had engaged in a massive spying campaign against Americans. The latter scandal prompted a rash of inquiries. President Ford convened a commission and the House and Senate formed special committees to study intelligence abuses. Legislators called for massive restructuring of the CIA. Pundits suggested an end to the agency's covert actions. Far-ranging reform seemed practically inevitable.

It does not detract from Olmsted's book that we know the eventual result: piddling reform. She ably chronicles the fall from high expectation to Washington handwringing. When the investigations began in the mid-seventies, it was imaginable that the revelations of intelligence malfeasance—assassination attempts against foreign leaders, a plot that slipped LSD to unwitting Americans, a mail-opening operation, schemes to undermine democratic elections overseas—might end Americans' deference to secret government.

But when the spy dust had settled, the reformers had almost nothing to show. The House voted to suppress the final—and damning—report of its Pike Committee. (A leaked copy of the report, initially published in *The Village Voice*, remains one of the most penetrating analyses of intelligence operations.) The Senate's Church Committee managed only one reform: the establishment of a Senate committee to oversee the intelligence community. Their record has been—at the very best—spotty.

Olmsted argues that after Vietnam and Watergate, the body politic could no longer process more bad news about its government and was tired of troubling revelations. Such information was "not the kind of truths we most need now," said Senator J. William Fulbright, who had been a crusading opponent of the Vietnam War. This sort of thinking and general scandal fatigue also inflicted the media. Olmsted explodes the myth that this era was a time of journalistic courage and a heyday of investigative reporting. After the Pentagon Papers episode and then Watergate, the prestige media revived its deferential posture toward the national security club. The editorial boards of both *The Washington Post* and *The New York Times* requested caution from the committees investigating the CIA (The *Times* was the first in the media to discover that the CIA had tried to murder foreign leaders, but it did not run the story because its editors had learned this during a meeting with President Ford. After he blurted out the secret, Ford insisted it was off the record. The paper abided by the President's request.)

With the mainstream media not pressing the investigators of Congress, it is no surprise the investigations yielded no real change. Congress has never done a good job on the intelligence front. When it held hearings on the National Security Act, which created the CIA in 1947, it left untouched the topic of covert operations and psychological warfare. To their credit, the lawmakers apparently thought they were establishing an outfit to gather and evaluate foreign intelligence—not one that would run secret wars, produce propaganda, foment coups, and the like. In later years, there was no congressional scrutiny of the philosophy that allowed the spooks (and the Presidents who dispatched them) to engage in such dirty work. A 1954 presidential commission determined that "Hitherto acceptable norms of human conduct do not apply" in the Cold War. "[We] must learn to subvert, sabotage, and destroy our enemies by more clever, more sophisticated, and more effective methods than those used against us. It may become necessary that the American people be made acquainted with ... this fundamentally repugnant philosophy." But the American people were never given that courtesy.

As ineffectual as congressional reform efforts have been, White House proposals often make things worse. Clinton's commission on the CIA has recommended transferring CIA analysis of satellite photography to a Defense Department outfit. This would designate the Pentagon—which has a budgetary interest in overinflating threats from abroad—the sole authority for interpreting weapon developments in other nations.

There has never been much of a political upside to trekking through the vexing and difficult terrain of intelligence

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reform. Today, Clinton and his advisers, such as Tony Lake, do not see it as their mission to address, let alone question, the deeply entrenched assumptions of the secret bureaucracy. (The budget of the intelligence community is reportedly $29 billion—about the size of Russia's entire military budget.) The spooks take the occasional bashing in the press for, say, misplacing billions of dollars or hobnobbing with killers. They may have to grimace through the rare congressional hearing. But they really have it quite good, remaining well-protected from the most dangerous of threats: Americans who dare to question the rationale for the existence of such an expensive and extensive spy apparatus.

David Corn, Washington editor of The Nation, *is author of* Blond Ghost: Ted Shackley and the CIA's Crusades.

Left for Dead: The Life, Death, and Possible Resurrection of Progressive Politics in America
Michael Tomasky
The Free Press, $23
By Matthew Dallek

In October 1992 Michael Tomasky, then a "card-carrying representative of the *Village Voice*," interviewed Newt Gingrich about the Georgia representative's political future. I'd like to be Speaker of the House, Gingrich told his interviewer, and I think I can do it within six years. Fat chance, Tomasky thought.

Just over two years later, the unthinkable occurred: Republicans won control of Congress for the first time in four decades and Gingrich, the fire-breathing conservative, became Speaker of the House of Representatives. "Where have we gone wrong?" Tomasky, now a columnist at *New York* magazine, wondered. Why has the left "completely lost touch with the regular needs of regular Americans?" The answers, Tomasky writes in *Left for Dead*, lie largely in the multicultural politics that dominate the current left-wing agenda. Around 1970 American radicals began to forge new political alliances based on race, ethnicity, gender, and sexual orientation. Abandoning the more traditional, class-based politics of the union movement and the universalist ethos of the civil rights struggle, the left splintered into a wide array of racial and gender groups that seemed more interested in railing against "racist power structures" than in developing serious solutions to national economic and social ills.

The results, Tomasky argues, have been disastrous. Today radical feminists lead crusades against pornography, black activists inveigh against white racists, student radicals write rules banning hate speech on campus, and some gay and lesbian groups have asserted their equal rights by storming St. Patrick's Cathedral in New York and exposing themselves on Fifth Avenue. The agendas, Tomasky argues, are narrow-minded, divisive, and irrelevant to the bulk of the American public. Relatively small in number, today's multiculturalists are so enfeebled that they have to rely on the courts to "impose solutions that lack broad public support." And if you don't support the official party line? You're "branded," Tomasky writes like someone who knows, "as an enemy of progress."

So how can the left resurrect itself? To answer that question, Tomasky examines four issues—welfare, immigration, affirmative action, and health care—on which the left is particularly weak. In each case, he makes clear that the left is bereft of ideas—interested primarily in expanding current programs while rejecting most attempts at reform. Instead of conceding, for example, that illegal immigration is a legitimate problem requiring humane solutions, many progressives simply denounce proposals to stem the tide of illegal immigration as xenophobic and racist.

Tomasky identifies a number of reforms that the left can, and should, support: increased border patrols, class-based affirmative action, a single-payer health care system. But he recognizes that it will take more than just a few policy modifications to revive his moribund cohort. It will require a new vision of left-wing politics. First, the cultural agendas that are so popular must give way to a more universalist orientation that emphasizes "our common humani-

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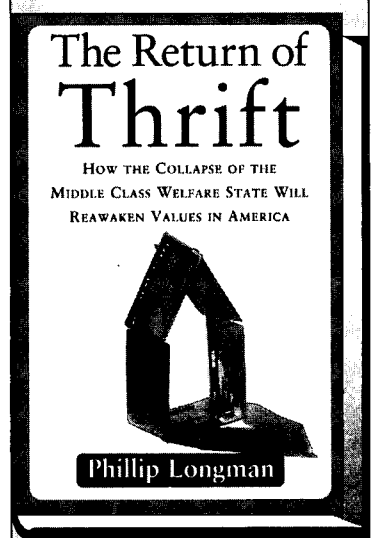

"An unsparing and unnerving audit of the cost of so-called entitlements which makes the debate on balancing the federal budget appear all but irrelevant." —*Kirkus Reviews*

"A grim but insightful analysis of America's burgeoning middle-class welfare state." —*The Washington Post Book World*

"*The Return of Thrift* treats a complicated and much-lied-about subject with complete honesty and clarity...it is truly hopeful about America's future." —Nicholas Lemann, *The Atlantic Monthly*

*Senator Bill Bradley

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ty." It's okay, Tomasky explains, to acknowledge group differences based on race, gender, and sexual orientation. But to become an influential political force, the left needs to "accept definitions of people ... that stretch beyond" the categories of race and gender. Second, progressives need to address the needs of American workers. A program based on shared economic grievances that protects U.S. labor from foreign competition, abolishes corporate welfare, and "put[s] people's livelihoods first" might appeal to a broader cross-section of working- and middle-class Americans.

There is little that's surprising in the 200-some pages of this book. Tomasky's vision of a class-based radicalism is at least a century old. In the 1890s Southern populists tried to unite black and white sharecroppers behind a program of sweeping economic reform; during the Great Depression, Communists and union organizers mobilized industrial workers of different races and ethnicities; and in the 1960s the Civil Rights movement attracted significant support from white unions.

Still, this is a compelling book. Tomasky's main argument—the left is unpopular, has no overarching vision that might attract large numbers of Americans, and has contributed, unwittingly, to the rise of the right—seems difficult to dispute. He offers a rarity in American political letters: a thoughtful, pragmatic critique of contemporary American radicalism. Eloquent, forceful, and above all compassionate, *Left for Dead* recognizes much that is noble about the current left, including concern for the downtrodden and vocal opposition to discrimination.

Tomasky, like so many other critics, recognizes that the left has "lost the ability to talk to Americans collectively about the things that concern them most: their jobs, wages, and standard of living; their quality of life (a dirty phrase to progressives); what they're getting from the government in return for their tax dollars; the life of their communities and the safety of their neighborhoods...." But his call for a new left focused on economic issues, although no panacea, is reminiscent of the best in the American radical tradition.

Resurrecting the left is a tall order, and I wouldn't place any money on an imminent radical revival. But you never know. Remember the American right of the early 1960s? Ridiculed and reviled by virtually every mainstream journalist, politician, and scholar, conservatives in those years began to distance themselves from extremists, campaign for like-minded political candidates, and develop positive programs that could appeal to disaffected Americans.

"They were smart," Tomasky writes. "They had new ideas and pushed them with vigor, and they took every opening their limping opposition gave them. They adapted." Like the '60s conservatives, today's progressives face a choice: they can continue the internecine struggles over narrow cultural and symbolic issues; or they can begin, as Tomasky suggests, to develop a more universalist, practical, and appealing approach to the nation's social and economic woes.

Matthew Dallek is a Richard Hofstadter Fellow in American History at Columbia University.

The Return of Thrift

Phillip Longman

The Free Press, $25

By Timothy J. Penny

Addiction is the underlying theme in Phillip Longman's book *The Return of Thrift*. Longman begins with the now-classic story of alcoholics who qualified for Social Security disability and received their government checks in care of the local liquor store. However, the author avoids the familiar assault on government waste, fraud, and abuse. Rather, his central message is that popular "middle-class entitlements" are the true cause of our nation's fiscal crisis. He presents sobering evidence to document America's addiction to government subsidies. According to Longman, federal entitlement programs have created a culture of dependency that afflicts senior citizens, farmers, veterans, homeowners, and business executives alike. He acknowledges that breaking the addiction "won't be easier for most Americans than withdrawal from a powerful narcotic."

Throughout the book, Longman questions conventional wisdom that entitlement programs like Social Security and Medicare are "earned rights." He exposes the "trust fund" myth by documenting that "the core of every social insurance plan is an unfunded liability." His analysis is compelling and his arguments persuasive. He makes it clear that our national entitlement binge can only be financed by mortgaging the future.

During my years in public office, I did my best to adhere to the following principle: You can trust the voters with the truth. Yet, too often voters do not hear the truth from their political leaders. As Democrats and Republicans jockey for political advantage, misinformation abounds about the deficit and its underlying causes. Longman's book offers voters a yardstick against which to measure the veracity of the political rhetoric emanating from Capitol Hill and the White House. Believe me, the pronouncements from the political establishment do not measure up.

Victimized by an entitlement mentality, neither voters nor political leaders have been willing to face the truth. Longman asks us to apply a new standard to the demands we place on government. For example, he correctly criticizes "goldbrick military pensions for thirty-nine year olds who've never seen combat." He properly chastises "middle-class and affluent families who figure out how to get Medicaid to pay for Grandma's nursing home needs." In essence, he forces us to look at our entitlement benefits with an objective eye. Do these policies make sense? Are these programs honestly financed? Are they based on need? Are they fair to future taxpayers?

Longman's book is a form of "tough love" in which he challenges each of us to face our own addiction and begin the process of recovery. He concludes by proposing a comprehensive affluence test designed to reduce government subsidies as income rises. In addition, he

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suggests a mandatory savings plan as a means of retirement planning and of restoring the value of thrift in our society. These are stern measures, but nothing less will save Americans from our self-destructive behavior. Are we ready to take the cure?

Timothy J. Penny, the former congressman from Minnesota, is a fiscal fellow at the Cato Institute.

Feeding the Beast: The White House Versus the Press

Kenneth T. Walsh

Random House, $25

By Lewis Wolfson

Ever since Teddy Roosevelt brought journalists in from the rain and gave them a room in the White House, we have had this peculiarly American phenomenon of presidents inviting some of their worst tormentors to live under the same roof. It is like having a bunch of sullen teenagers in your basement—sassing you, eating your food, and constantly judging you.

Feeding the Beast, by *U.S. News* White House reporter Kenneth Walsh, is a smooth yarn about the guilt, grievances, and dogged triumphs of the White House press corps, and about presidents' mystical yearning to create a bond with Americans by going through, around, and over the heads of journalists. Walsh, rightly proud of what the press corps accomplishes, is also disturbed by reporters' rush to judgment on politicians. He deplores the "smart aleck journalism and wise-guy punditry" that give the press corps a bad name. And he feels that too many Washington journalists have become isolated from the "real" America and are busier trying to "impress political insiders, or each other," than inform the public.

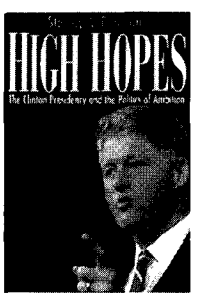
Walsh has watched three presidents up close for 10 years, and he clearly has a soft spot for George Bush, the only recent president (besides Gerald Ford) whom the press corps came close to liking. Though Bush had a lack of vision and underwhelming ambitions, he had the kind of Washington experience journalists value. He did not seem calculating or vindictive. And who wouldn't get a kick out of tooling around in the president's cigarette-boat in Kennebunkport?

In contrast, Clinton flunked the press's likability test. It is still something of a mystery why the man who could charm Newt Gingrich poked a finger in the eye of the White House correspondents who were so important to him. The White House crew tried to isolate the press room and skip around the journalists with town meetings and MTV. Still, it wasn't the press's pique with the President that put him in the doghouse, but the country's disappointment over the fumbles of this unknown Arkansas governor whom many Americans had bet on to be a quick learner.

Walsh pictures his fellow White House reporters as among the most hard-working and careful of journalists. He says that it is no wonder they often feel "cantankerous, rude and angry" when "they are lied to and dismissed as untrustworthy or ignorant." They are penned up and herded about in "conditions that would make most American workers chafe." But Walsh also admits that they are a pampered lot, and that they love the thrill of flying around the world with the president, jawing with him over iced tea on the White House verandah, and being attended by high-level officials.

Although not original, Walsh's criticism gives his book greater weight. He's right that journalists need to turn from the flash and dash of micropolitics and "gotcha" journalism toward more deliberate explanation of how government works. Americans have shown they are tired of a fatty media diet of political bickering and partisan posturing, and hungry for a better understanding of Washington's mysteries. They know there is another government—rarely seen on the evening news—that affects them profoundly.

Journalists think of it as dull stuff. But when done well, stories about



High Hopes

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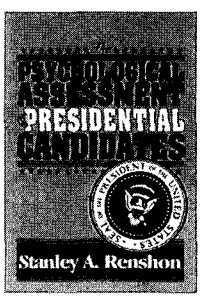

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bureaucratic pressures and processes dramatize government's effects on our lives and build the popular link to Washington that Walsh and others call for.

If they put their minds to it, thoughtful editors and correspondents could move the press corps toward a Washington version of the new civic journalism. Correspondents could be weaned from mostly political sources and instead talk with leaders in business and industry, labor, education, the churches, and whoever else seeks to influence the White House. They could be assigned to follow a presidential policy proposal through Congress, into the federal bureaucracy where guidelines are drawn, and then down to the grass roots to see the results. Does it serve the people as envisioned? Does it work?

The media's public image—sorely tarnished in recent years—may yet be renewed if citizens can count on the press for steady explanations about why government fails, and for debate about how we can improve it.

Lewis Wolfson, professor of communication at American University and director of its Dialogue with the Press program, is the author of The Untapped Power of the Press.

The Patriot: An Exhortation to Liberate America from the Barbarians
Gary Hart
The Free Press, $21
By David Linker

In 1987, a former senator from Colorado seemed a sure bet to clinch the Democratic presidential nomination. Good-looking, smart, and graceful, Gary Hart had it all—Donna Rice included. Like the Gennifer Flowers scandal in 1992, Hart's nomination had its own Bimbo-gate, but unlike Bill Clinton, Hart baited the press and then passively watched his campaign implode. A modern-day Icarus, Hart aimed too high, flew too close to the sun, and, consequently, came crashing to earth and obscurity.

Now, nine years later, for the few of us who missed the thud, Hart has published *The Patriot*. Trying to sound like a sage elder statesman rather than a historical footnote, Hart expounds on such vague notions as the value "of leaving to our children a better nation than we found," "the hopes of a generation," and the fact that "our national strength is ... in the minds, spirits, and hearts of our people."

At his worst, Hart drones on like the uncle no one wanted to invite to the reunion, and, at his best, he sounds like the second hour of a State of the Union address. Nothing he says is necessarily wrong; it's just that his rhetoric is empty and his ideas ring hollow. He concludes one chapter by commenting on the difference between power and leadership: "It is quite possible to have power and be no leader. It is sometimes possible to be a leader and have no power." Such a statement is akin to defining something beautiful as anything that is full of beauty. It's not inaccurate, just meaningless.

The book is clearly intended to be a how-to manual for aspiring politicians, which isn't a bad idea in and of itself. However, for such a work to succeed, each of its propositions must be carefully substantiated. Hart faces the difficult task of proving that his is the right way or even a new way. When he prattles on about the need for a "grand" international alliance, for instance, "that would provide financial and technical assistance, principally through credits, loans and equity investments," one is left to wonder how such a system would be different from the World Bank or the International Monetary Fund. In the same chapter, he proposes a "second global institution ... [that] would be an international security agency" and then fails to distinguish its aims from those of the United Nations. His proposals seem more like vacuous speechifying than a legitimate blueprint for change.

At a time when Americans are craving strong, visionary leadership, Hart's book could have offered useful advice for this year's candidates. Instead, *The Patriot* is a mishmash of platitudes and dogmatism. Hart certainly has laudable goals, but unless he provides some substance for his suggestions the question will remain, as Walter Mondale said in 1984, "Where's the beef?"

David Linker is the production manager for The Washington Monthly.

Ashes to Ashes: America's Hundred-Year Cigarette War, the Public Health, and the Unabashed Triumph of Philip Morris
Richard Kluger
Knopf, $35
By Peter Pringle

After toiling for seven years, Richard Kluger has written an encyclopedic, authoritative history of the tobacco companies. Those who admired the journalist-turned-social historian's superb account of *Brown v. Board of Education* in *Simple Justice*, will revere the commanding sweep of this work, the most illuminating book so far on the folly and greed of the tobacco lords.

This project began with an extraordinary invitation from the secretive Philip Morris company, the nation's largest tobacco enterprise, to interview its senior executives. Thanks to this entree, Kluger brings a novel ingredient to his account; no other author has gained such access.

Philip Morris executives yearned to be properly understood and they evidently had faith that the unpremeditated approach carefully constructed by Kluger would not jeopardize their fortunes. So persistent was the author in suspending moral judgement that the anti-smoking activists he encountered during his research thought he had "gone native" after sessions in the Philip Morris boardroom.

The faith put in Kluger by the tobacco executives was, in the end, not misplaced. He presents evidence that "strongly suggests [the companies] well understood the health charges against them and had by utterance and action tried for forty years to blind the public to the severity of the risks of smoking," but the author believes the companies should not be "dealt with unkindly," or punished in a way that would stem the

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industry's flow of riches. In his view, the fault lies with a failure to regulate a product that is clearly harmful and addictive. Cigarette makers, in his view, have behaved merely according to commercial expediency—finding the best way to make the most profit under the law. As for the tobacco chiefs' statements before Congress that they believed nicotine was not addictive—that is "slippery conduct," according to Kluger, not perjury.

There is little to be gained, perhaps nothing, Kluger argues, by "hand-wringing" and "demonizing" and pursuing the tobacco companies through the courts—because they always win and will probably survive the current, and most challenging, spate of class actions and state lawsuits. Society must now "dance with the devil" in constructing a compromise, he says.

Kluger's appeasing solution—laid out in the book and in a recent cover story in *The New York Times Magazine*—is a blanket, and retroactive, exemption by Congress from all personal injury claims by smokers against the cigarette manufacturers. In return, the companies would submit to FDA oversight on manufacture and packaging, including limits on hazardous ingredients and efforts to make cigarettes less alluring to youth. In addition, federal cigarette taxes would be doubled, and cigarette packs would have to state explicitly that nicotine is highly addictive.

This compromise package would be better than the present situation. But, given the current legal and political onslaught against the industry, the deal would hardly be "tough." This is, in fact, the best escape the industry could hope for—an industry wish-list, you might say. The formula is: Let us off the hook and we promise to behave better in the future. But what will guarantee the agreement is enforced?

Even if it were in Congress' power to grant a retroactive immunity—and this is a murky and open question—the implementation of such a gentlemen's agreement is still subject to the sway of politics. The FDA, until recently, was a patsy of the tobacco lobby. To assume that the current anti-tobacco stance will continue is naive.

In pressing for a deal, Kluger is dismissive of the true value of the recent cache of company documents that have themselves played such a large part in setting in motion the current attacks against tobacco. The thousands of internal reports and memos from the Brown & Williamson tobacco company gathered by Professor Stanton Glantz and his colleagues were published recently by the University of California Press in an annotated and meticulously-referenced version. These documents provide the first look at the intensive scientific research carried out by the industry, particularly into nicotine pharmacology. And industry research demonstrating how smokers compensate for low-nicotine brands by smoking more and blocking the air holes in the filter was 10 years ahead of independent research.

At 500 pages, this volume, called *The Cigarette Papers*, is not for the faint-hearted (neither is Kluger's tome, for that matter). But the two works need to be read side-by-side as standard texts on how unscrupulous businessmen can peddle a dangerous product and get away with it for so long.

That Kluger looks down his nose at Glantz—and also at what he regards as the misguided state attorneys general and the scruffy product liability bar now furiously challenging the tobacco companies in court—is to his discredit. If it is true that the companies are anywhere near the bargaining table, then it is largely the pressure from these groups that has brought them there.

Kluger's smugness detracts from the enormous worth of his own text and becomes somewhat irritating in regard to his grand compromise. There are several legal points that he has chosen to gloss over, puzzling for an author who is otherwise so comprehensive.

In making his case for reasonable solutions, Kluger rails against the "half-truths" spouted by the "tobacco-bashers" and in media "exposés." For example, he calls a "half-truth" the assertion that smokers impose a heavy tax burden on the rest of us through Medicaid and other public expenditures to treat smoking-related diseases. Kluger has the odd notion that the money cigarette smokers pay in taxes should be credited against damage the tobacco industry does.

He is also oddly dismissive of the seven state claims for reimbursement of smoking victims' medical expenses. He takes the industry line that these claims are, in essence, personal injury claims of the sort pre-empted by the warning labels on cigarette packs, and upheld by the Supreme Court in the *Cippolone* case. In fact, the Court's ruling was much more favorable to the plaintiff's case, keeping open several different causes of action—especially addiction.

The new spate of lawsuits—especially the mass class action suit known as *Castano*—diverge from previous plaintiff claims of ignorance of tobacco's carcinogenic properties and instead concentrate on its addictiveness. (And here I declare my interest: I am writing a book about these claims.)

The Brown & Williamson documents demonstrate that at least some of the tobacco companies were doing cutting-edge research on nicotine pharmacology in the '60s and had rated the drug addictive, but no warning about addiction was ever conveyed to the smoker. The failure-to-warn-of-addiction theory of liability was first suggested in 1980 by Donald Garner, a law professor at Southern Illinois University. Garner pointed out that a manufacturer is held to the standard of an expert in its product field, and should not wait for the danger to be discovered by others. The tobacco companies, of course, knew well ahead of independent researchers of nicotine's addictiveness. "Don't all manufacturers control the components of their products?" Kluger asks. Well, perhaps. But when they lie about it, there's a problem.

Garner also explained that the plaintiff's continued use, or misuse, of the product is not a defense to liability because, given the addictive nature of the nicotine, it is questionable how vol-

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untary continuing to smoke could be. With more evidence of "slippery conduct" by the tobacco companies appearing in documents and depositions each month, Kluger's haughty dismissal of current claims seems rash indeed.

Perhaps he should have called his book "Ashes to Riches," for that is what his draft deal proposes.

Peter Pringle is currently writing a book on the legal assault on the tobacco industry.

The Wilding Of America: How Greed and Violence Are Eroding Our Nation's Character

Charles Derber

St. Martin's Press, $22.95

By Wendy Kaminer

Whether they blame the civil libertarianism associated with the '60s or the economic libertarianism of the '80s critics right and left decry America's moral decay. Either we suffer from undue social permissiveness—promiscuity, no-fault divorce, the dissolution of the nuclear family—or we are afflicted by a permissive free market that offers the license to put our untrammeled pursuit of wealth first, while blaming poverty on the poor. On both sides, debates about a range of issues, from welfare, crime, and out-of-wedlock birth, to tax cuts, environmental pollution, tort reform, and corporate downsizing, have become debates about morality. Public policy failures have been moralized; it's as if we only get things wrong because we're bad.

In *The Wilding of America*, Charles Derber targets an "epidemic" of self-centeredness, competitiveness, and greed, in corporate boardrooms and Congress, and on urban and suburban streets. Derber, professor of sociology at Boston College and author of *The Pursuit of Attention*, defines wilding as "individualism run amok": It reflects an utter lack of empathy, conscience, or compassion and a belief in pursuing self-expression, gratification, and success at any cost. In Derber's view, Michael Milken, O.J. Simpson, Donald Trump, Newt Gingrich, and an army of anonymous yuppies share a psychic disease with the gang of teenage boys who brutally assaulted a female jogger in Central Park in 1989, introducing the term "wilding" to the vernacular.

Derber disdains efforts we make to distance ourselves from the most sensational outbursts of wilding—such as murder for money—by labeling the perpetrators sociopaths. We live in a sociopathic culture, he asserts, in which less extreme forms of wilding have been normalized. And excesses of individualism are nothing new. Nineteenth century robber barons engaged in wilding, Derber notes, and to the extent that the American dream focuses on acquiring power and wealth, wilding is an American tradition. It is criminalized at the lowest socio-economic levels, while it is "sanctified as professional ambition" among the educated upper classes. But Derber argues that wilding is particularly grievous today, partly because of the unabashed embrace of free market policies during the Reagan and Bush administrations.

This is not a book that will appeal to political centrists, much less people tilting even slightly to the right. Still, even readers who don't share Derber's political views may find their understanding of wilding deepened by his analysis. We don't link street crime to white collar crime (or mere ethical lapses) and political venality often enough. By defining wilding broadly, associating it with unmitigated greed, Derber highlights the normalization of anti-social behavior among elites.

The pitfall of his approach, which Derber acknowledges but doesn't quite avoid, is expanding the definition of wilding to the point of meaninglessness. It's difficult to broaden our understanding of wilding enough to connect crime in the streets, suites, and legislatures without broadening it so much as to subsume every arguable form of misconduct. The effort to make wilding stand for everything can make it stand for nothing at all. Derber tries to limit his subject by defining wilding as individualistic behavior that "indulges the self by hurting others," but that doesn't narrow his focus so much as explain it (and mollify civil libertarians who consider individualism a social good).

It's not surprising that this ambitious definition of wilding is not always substantiated. Derber tends to back himself up simply by quoting other commentators who agree with him, as if more than one opinion constitutes a fact. And he is insufficiently skeptical of popular journalistic pronouncements on culture: He relies on a *New York Times* article speculating that the younger generation today is one "that couldn't care less" to buttress his own generalizations about wilding—as if any generation were monolithic. He approvingly cites a *Newsweek* article asserting that 90 percent of American families are dysfunctional (as evidence of wilding's corrosive effect), without recognizing that this particular statistic is merely a figure of speech. If you define dysfunction very broadly, as popular psychologists do, you can label all American families dysfunctional.

The other pitfall of Derber's approach to his expansive definition of wilding is tedium. Even readers who sympathize with his politics (as I do) may become impatient with the laundry list of liberal complaints that constitutes most of his book. Virtually no social ill is excluded. The crumbling infrastructure, Republican campaigns against federal watchdog agencies such as the EPA, global capitalism and the rise of sweatshops, the creation of a contingent workforce, violent crime, attacks on welfare, and tax policies that favor the rich are all given as examples of wilding, and there is little that's new in this polemic. What is new is the linkage he makes at the outset between self-serving, socially destructive behaviors at the highest and lowest levels of society. Much of the text that follows is essentially a footnote for that interesting and original premise. Within this pedestrian book, there is a provocative magazine article struggling to get out.

Wendy Kaminer's latest book is True Love Waits, *a collection of essays.*

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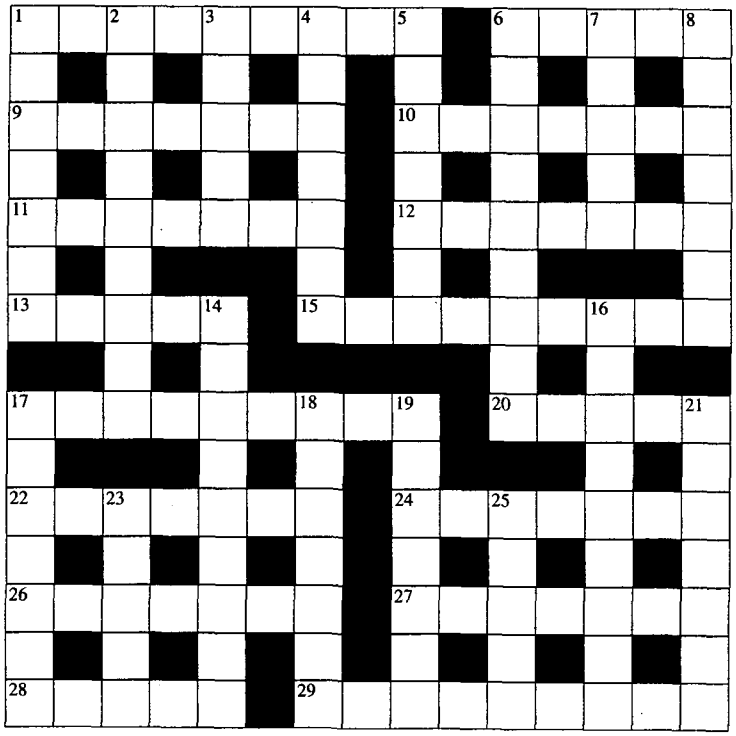
Political Puzzle

BY JOHN BARCLAY

The numbers indicate the number of letters and words—thus (2,3) means a two-letter word followed by a three-letter word. Groups of letters, such as USA, are treated as one word.



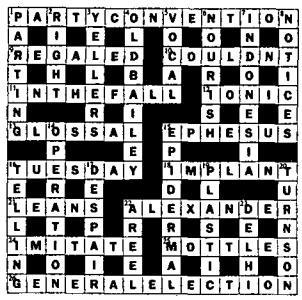
Across

1. Unexpected victor has hordes surging around large vessel. (4,5)
6. Pick up the tab in local theatre atmosphere. (5)
9. Fools taking in home run for midgets. (7)
10. Foolishly cheer at guru. (7)
11. Recited non-diet formula. (7)
12. Ribs endlessly unnecessary. (7)
13. Stop in lower level for tennis player. (5)
15. Reporter's headaches curiously end a slide. (9)
17. Song I said differently for examination. (9)
20. Upsets diamonds. (5)
22. Follows approval in toppled stool. (5,2)
24. Lost as loran failed. (4,3)
26. All of us take control of gentle nature. (7)
27. Spanish fish decoration. (7)
28. Unusually eager to correspond. (5)
29. Lackluster candidate played tacky harp. (5,4)

Down

1. To get to the essence: it's back in a pickle. (7)
2. Ruin tiara designed for fictional country. (9)
3. Person putting Greek character back in dynasty. (5)
4. Set up housekeeping and desired madly. (7)
5. Assembled it as one country. (7)
6. Confederate mount makes all revert differently. (9)
7. Banned additive is your placement in train. (5)
8. Pushes last of wealth into cartels. (7)
14. Did sell an awful election result. (9)
16. Honduran neighbor in car floating on water in Toledo. (9)
17. Tough choice is lame, dim mess. (7)
18. Spot duo roaming, unexpectedly alone. (5,2)
19. Passer tossing before end of quarter is less dense. (7)
21. New England ducks trashed leisure spot. (7)
23. Proprietor standing in window nervously looking out. (5)
25. Weird mark in front of club. (5)

Answers to last month's puzzle:



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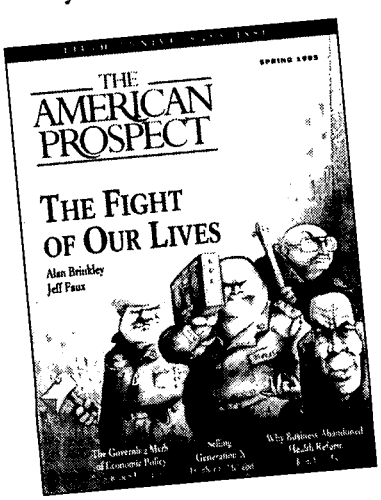

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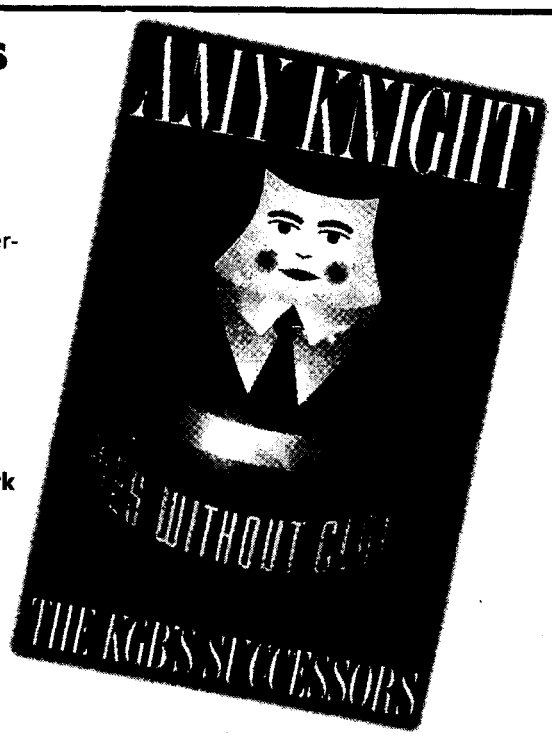
Spies and Free Traders

Spies without Cloaks

The KGB's Successors

AMY KNIGHT



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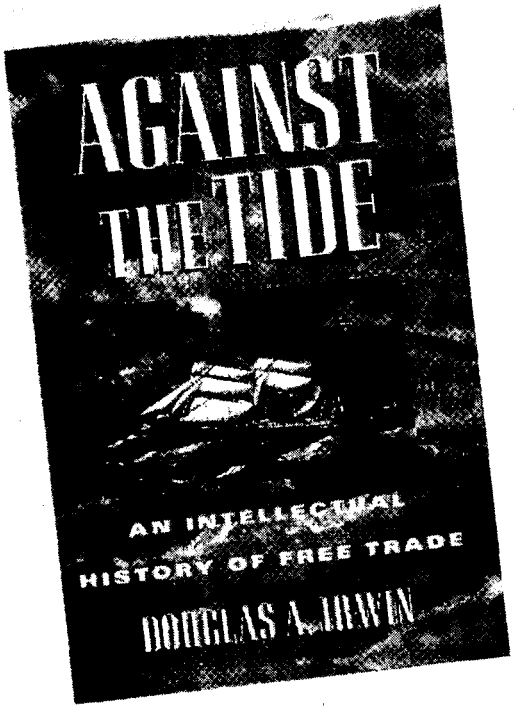

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